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BIBLIOGRAPHICAL NOTES ON UNITED STATES PATENT, TRADE-MARK, AND COPYRIGHT LAW.

BY MILES O. PRICE

Some time ago, Jean Ashman, Librarian of the University of Indiana Law School, having occasion to build up a patent law collection and remembering the writer's interest in intellectual property, dating from 1922 when he began his seven years as chief of the Patent Office division which includes the Scientific Library, asked him to compile a brief bibliography on patent law. Accordingly this list was made, and since Miss Ashman thought it would be of interest to other law librarians it is presented herewith. It is confined to the United States field, though since patents for inventions originated in England, there should be some British titles. If there is sufficient interest in the foreign field, a supplementary list may be prepared.

At Miss Ashman's suggestion a few titles on the other principal aspects of intellectual property — copyrights and trade-marks — are included, though the Lanham Act, adopted July 5, 1946 and in force a year later, has rendered much of previous trade-mark law and literature obsolete or of doubtful value.

Statutory protection accorded intellectual property in the United

States covers patents, copyrights (including prints and labels, until 1940 administered by the Patent Office), and trade-marks. There are also important common law rights in copyrights and trade-marks, in some respects more valuable than the statutory ones. Patents and statutory copyright, by virtue of Article 1, Sec. 8, Clause 8 of the Constitution are exclusively federal matters, but trade-marks are federal (under the Commerce Clause, Article 1, Section 8, Clause 3) only when interstate commerce is involved. Each of the forty-eight states of the Union has its own trade-mark statutes, covering marks used in intra-state commerce, and such marks are often locally quite important, but there is practically no literature relating to them and their scope has been materially reduced by the Lanham Act.

PATENTS

In selecting patent law material the librarian should keep well in mind that there is a fairly sharp dividing line between the adjective law and *ex parte* practice which comprises the bulk of the action before the Patent Office and its various quasi-judicial tribunals on the one hand, and the

substantive law which finds its expression for the most part in litigation before federal courts. Of about 300 patents adjudicated in any one year, only about sixty concern anything but the courts' review of Patent Office action on patent applications. Many of these sixty have nothing to do with patent law or practice, but are concerned with anti-trust laws, licensing contracts, etc.; for example, of the six patent cases decided by the Supreme Court of the United States in the October 1946 term, four were anti-trust and license matters and only one concerned the validity of a patent, an Office matter.

In other words, in actual practice substantive patent law looms rather small and adjective law very large indeed. And though most laymen seem to think of administrative law as a "New Deal" development, most of this Patent Office adjective law is essentially administrative law. In fact, Patent Office practice is the earliest example perhaps of administrative law in this country, having had a continuous existence dating back to the Constitution itself, which provides for the granting of patents. The vast majority of patent attorneys and agents (the Office has its own Bar which exclusively is permitted to practice before it) are, accordingly, more interested in the Patent Office *Rules of Practice* and their application than in other aspects of patent law.

By the same token, the average treatise on patent law concerns itself more with patent solicitation, or practice before the Office, than before the courts. There are several quasi-judicial tribunals in the Patent Office which

render decisions on matters within their jurisdiction, from which appeal lies to the United States Court of Customs and Patent Appeals or to the District of Columbia Court of Appeals.

Though the literature of patent law is not particularly voluminous, it is sufficiently so that this list confines itself almost exclusively to the United States field, in spite of the fact that, like so many other good things, the patent system as we know it originated in England, where patent specifications have been printed since 1616. Perhaps the most copied specification in the world has been that of Puckle's machine gun patent, number 418 of 1718, which had the peculiar virtue of shooting round bullets to kill Christians and square ones for Turks.

LAWS

Constitution: Patents are authorized by Article I, Section 8, Clause 8, of the Constitution.

U. S. Code: Title 35 of the *U. S. C.* relates to patents, and two volumes of the *U.S.C.A.* include the text, case annotations, rules of practice, and a few forms.

Patent Office issue: Patent Laws. . . . containing the original text; with cross reference tables to the *Revised Statutes* and the *U.S.C.*, are issued free, in pamphlet form, by the Patent Office. The same is true of trademark laws.

Rules of practice. . . . of the Patent Office are issued free at rather frequent intervals. They are also found in the *U.S.C.A.* and in the *C. F. A.* This hundred-page pamphlet is the patent attorneys' bible, of which they must know every word and comma. The rules appear first in the *Federal Register*, and later in *Code of Federal Regulations*, Title 37, Chapter I. (Chapter II relates to trade-marks.) The current, 1949, edition of the Rules supersedes and renders obsolete many of the older familiar rules.

General information concerning patents, while not a compilation of law, is based upon them and should

be in every patent law library. It is issued free.

Walker on Patents: reprints the patent statutes in their original, uncoded form.

TREATISES

General

Walker, A. H.: *Walker on patents, Deller's edition* . . . New York, Baker, Voorhis & Co., Inc., 1937. 4 v., with cumulative pocket supplements. This is the one indispensable work, the first edition of which appeared in 1883. It is a reference work rather than one to be read by the novice, and it aims at substantial completeness in both substantive and adjective law.

Robinson, William C.: *The law of patents for useful inventions*. Boston, Little, Brown & Co., 1890. 3 v. This work, long out of print and for many purposes obsolete, is still eagerly sought after by patent practitioners because of its clear and thoughtful treatment.

Stedman, Beirne: *Patents; being a text-book compilation of the patent decisions of the Supreme Court of the United States*. Charlottesville, Va., The Michie Co., 1939. 708 p. This is rather typical of the multitudinous one-volume works.

Navin, William J.: *Patents*. New York, Practising law institute, 1946. 106p. This is a useful hop-skip-and jump through patents.

U. S. Department of Agriculture: *Patent manual for employees of the U.S.D.A.* Washington, D. C., Govt. Ptg. Off., 1944. 41 p.

Stringham, Emerson: *Outline of patent law and guide to digests*. Madison, Wis., Pacot publications, 1937. 691 p. This is not recommended as an elementary general treatise on patent law, though it adds up to that and is so intended. However, it is almost unique among treatises in sedulously defining within their proper spheres a good many terms which are taken for granted in most treatises, and in citing authority for the definitions, as judge would. Dr. Stringham's works on patent law should be in the law library, but his style is for the elect only. For the patent solicitor they are invaluable, but not always for the tyro.

SPECIAL PURPOSE TREATISES:

SUBSTANTIVE LAW

Glascok, Eustance Straughn, and Stringham, Emerson: *Patent law: Substantive aspects*.

Madison, Wis., Pacot publications, 1943. 522 p. Definitely a practitioners' book.

Hayes, John E. R.: *A definition of inventions*. Manchester, N. H., Printed by L. A. Cummings, 1941. 133 p; and its second edition: *The nature of patentable invention: its attributes and definition*. Cambridge, Mass., Addison-Wesley Press, Inc., 1945. 183 p. Third edition 1948. 187 p. These are small, thoughtful books, rather on the law review article side.

PATENT SOLICITATION

Wolcott, Clinton Leroy: *Manual of Patent Office procedure*. 9th ed. Washington, D. C., Patent office society, c.1947. 367 p. Indispensable, Formerly known as *Glascok's Manual*.

McCrary, Archie R.: *Patent Office practice: the adjective law relating to the prosecution of applications before the United States Patent Office*. second edition. Madison, Wis., Pacot publications, 1946. 466p. Indispensable. The first edition, published in 1928, almost became a collectors' item. In spite of the fact that some recent revisions of the Rules of practice have somewhat reduced the value of this work, it is a first purchase on the adjective law side.

Glascok, Eustance S., and Stringham, Emerson: *Patent soliciting and examining: a guide to ex parte practice in the United States Patent Office*. Washington, Pacot publications, 1934. 734 p. "First supplement, 1940." Extremely useful, though because of its age some portions are to be read with caution.

Scher, V.: *Patenting the invention: application, prosecution, interference proceedings, with rules and forms*. Albany, M. Bender [1948] xxxii, 428 p. This is the most recent work of its kind, keyed to the new rules of practice and is a must.

PATENT SOLICITATION: SPECIAL PHASES

Fishburne, B. P.: *The patent application, preparation and prosecution*. 2d ed. Washington, D. C., John Byrne & Co., 1947. 239 p. "...and elementary work, for use by beginners or students, and which may also serve as a handy tool for the experienced patent solicitor." A useful book for those cramming for registration to practice before the Patent Office. The author is a practising attorney of long experience.

Dickerson, Donald L.: *Socony-Vacuum patent manual*. New York, Socony-Vacuum Oil Co., Inc., 1944. 105 p. For industrial or research

workers desiring to know about patents in their work.

Ellis, Ridsdale: *Patent Claims*. New York, Baker, Voorhis & Co., Inc., 1949. 697 p. Strictly a practitioners' book, and a very good one.

Stringham, Emerson: *Patent claims; a drafter's manual*. Madison, Wis., Pacot publications, 1939-41. 2 v. The definitive work.

Meigs, Joseph V.: *Interpretation of patent claims*. New York, Baker, Voorhis & Co., Inc., 1937. 139 p. The casebook approach.

Miller, Howard S.: *Reformation of interference issues; motions under Rules 109 and 122*. . . . Washington, D. C., Patent Office Society 1929. 107 p. "Addenda to August 1935." (Reprinted from the Journal of the Patent Office Society, with revisions.) The author was an examiner of long experience in the Interference Division.

Revise, Charles W., and Caesar, A. D.: *Interference law and practice, with forms*. Charlottesville, Va., The Michie Co., 1940-47. 3 v. The definitive work.

Underwood, Homer G.: *Underwood's interference practice*. . . . Detroit, Patent law publishing Co., 1920. 326 p. Old but still recommended for the beginner.

Stringham, Emerson: *Semiotic of patent interference count*. . . . Madison, Wis., Pacot publications, 1930. 213p. "First supplement May 1931." As its title indicates, this relates to litigation, not Office practice.

Federico, P. J.: *Statutory disclaimers in patent law*. Washington, Paul Pearlman, 1935. 215p. There is little written on this subject. The author is a Patent Office official of long experience.

VALIDITY

Rivise, Charles W., and Caesar, A. D.: *Patentability and validity*. Charlottesville, Va., The Michie Co., 1936. 755p. The title is something of a misnomer, as a little less than half the book relates to the indicated subject matter; that half, however, is worth while.

Stringham, Emerson: *Double patenting*. Washington, D. C., Pacot publications, 1933. 624p. The only work extant on this subject.

MISCELLANEOUS

Meigs, Joseph V.: *Time, the essence of patent law*. New York, Baker, Voorhis & Co., Inc. 1940. 259p. "The time element pervades the entire patent structure." Some statutory changes have been made since the pub-

lication of this work, so that it must be read with caution.

Sadtler, Robert E.: *Patent and trade-mark forms for the United States and Canada*. Charlottesville, Va., The Michie Co., 1933. 169p. Walker also has United States patent forms.

PATENTS FOR CHEMISTS, BUSINESSMEN, ETC.

Deller, Anthony William: *Principles of patent law for the chemical and metallurgical industries*. . . . New York, The Chemical catalog Co., Inc., 1931. 483p. The author is a distinguished patent attorney and chemical engineer, and the editor of the latest edition of *Walker on Patents*.

Thomas, Edward: *The law of chemical patents*. 2d ed. New York, D. Van Nostrand Co. Inc., 1938. 675p. This author is also well known both as a chemist and as a patent attorney. If one title in this field is to be added, this is it. Both Deller and Thomas are admirable as quick treatments of patent law and practice generally.

Rhodes, Fred H.: *Patent law for chemists, engineers and executives*. New York, McGraw-Hill Book Co., Inc., 1931. 207p. Strictly a briefer, to be read but not consulted. Very useful for the purpose, in spite of its age.

Biesterfeld, Chester H.: *Patent law; for lawyers, students, chemists, and engineers*. 2d ed. N. Y., Wiley, 1949. 275p. A revision, with considerable reworking, of the section on liability for infringement.

McCullough, Conde B., and McCullough John R.: *The engineer at law; a resume of modern engineering jurisprudence*. . . . Salem, Oregon, State printing dept. [1946]. 2 v. Chapter 10, "Patents, copyrights, and trademarks," devotes 28 pages to all phases of patents. Within these limits it is useful, as the entire two volumes are.

Hoar, Roger Sherman: *Patent tactics and the law; what the industrial executive and engineer should know about patents*. New York, The Ronald press Co., 1939. 315p. When published, some aspects of the "tactics" portion of this book engendered heated and acrimonious discussion in the profession.

Tuska, C. D.: *Patent notes for engineers*, Princeton, N. J., R.C.A. Review, 1947. 165p. This is a highly technical book for the patent department with emphasis on electricity. It quotes heavily from primary and secondary legal sources, considerably more so than is customary in a book of this kind.

Toulmin, Harry Aubrey, Jr.: *How to keep invention records, together with an explanation of the nature of industrial property*. . . Dayton, Ohio, Research press, Inc., 1948. 78p. The important matter of keeping invention records for evidentiary purposes occupies only fifty pages of this little book, but is the only reasonably adequate treatment.

Toulmin, Harry Aubrey, Jr.: *Patent law for the executive and engineer*. 4th ed., 2d printing. Dayton, Ohio, Research press, Inc., 1948. 231p. Not technical. For the executive rather than the patent department, emphasizing business aspects of patents. The author is an experienced patent attorney and writer.

THE BUSINESS END OF PATENTS

Some of the preceding works might well be included in this section.

Others are:

Berle, Alf K., and DeCamp, L. Sprague: *Inventions and their management*. Scranton, Pa., International textbook Co., 2nd ed., 1947. 742p. This product of the International Correspondence School is, as far as known, the only work dealing at all extensively with the marketing and commercial value of inventions and patents.

Ellis, Ridsdale: *Patent assignments and licenses, including trade secrets*. New York, Baker, Voorhis & Co., 1943. 2d ed. 944p. Strictly a lawyer's treatise on that branch of contract law, not patent law, dealing with patent assignments. Important.

Klooster, Bert Louis: *Patent accountings, a phase of cost accounting*. . . New York, Prentice-Hall, Inc., 1930. 795p. A unique work by a patent attorney-accountant.

Zabel, Max W.: *The patent royalty contract*. . . New York, Prentice-Hall Inc. 1933. 262p. Pocket supplement, 1938. Occasionally extremely useful.

PATENT POLICY OF THE UNITED STATES: CRITIQUES

The patent system has been under constant and vigorous attack, particularly by New Deal agencies, and much has been published. A large and important part of the discussion has been at Congressional hearings. Since the official discussions have been

listed in the various document catalogs, only a few will be noted here.

U. S. Commissioners appointed to revise the statutes relating to patents, trade and other marks, and trade and commercial names, under Act of Congress approved June 4, 1898 . . . : *Report*. Washington, D. C., Govt. ptg. off., 1900. 529p. (Sen. doc. no. 20, 56th Cong., 2d sess.)

U. S. Senate: *T. N. E. C. Investigation of concentration of economic power; hearings 75th Cong. 1st sess. to 76th Cong. 3d sess. . . . Part 3: Patents, proposals for changes in law and procedure*. . . Washington, D. C., Govt. ptg. off., 1939. 835-1159p.

U. S. T. N. E. C.: *Monographs, no. 31. Patents and free enterprise*. . . Washington, D. C., Govt. ptg. off., 1941. 179p. Strictly New Deal doctrine.

U. S. Department of justice: *Investigation of government patent practices and policies; report and recommendations for the Attorney General to the President*. Washington, D. C., Govt. ptg. off., [1947] 3 v. Largely anti-trust point of view.

U. S. Alien property custodian: *Patents at work: a statement of policy by the Alien Property Custodian of the United States*. Washington, D. C., Govt. ptg. off., 1943. 25p. tables. A sales talk.

Ballard, William R.: *There is no mystery about patents*. New York, J. M. Barrett corp., 1946. 120p. Pro-patent advocates deserve a better exposition of their side.

Barnett, Otto Raymond: *Patent property and the anti-monopoly laws*. . . Indianapolis, Bobbs-Merrill Co., 1943. 662p. The author is an important patent man.

Bennett, William B.: *The American patent system, an economic interpretation*. . . Baton Rouge, Louisiana state univ. press, 1943. 259p. One of the two scholarly works herein listed.

Folk, George E.: *Patents and industrial progress; a summary, analysis, and evaluation of the record on patents of the T.N.E.C.* . . . New York, Harper & Bros., 1942. 393p.

Duke University School of Law: *The patent system*. . . Durham, N. C., Duke University Press 1947-48. 2 v. (*Law and Contemporary Problems*, v. 13, nos. 2-3.) This is a symposium by various authors on different aspects of patents.

Fox, Harold G.: *Monopolies and patents; a study of the history and future of the patent monopoly*. Toronto, University of Toronto press, 1947. 388p. (*Univ. of Toronto*

- Studies, Legal Series, Extra volume.)* A scholarly work.
- National research council: *A survey of university patent policies; preliminary report*, by Archie M. Palmer, director of the survey. Washington, D. C., 1948. iv, 168p. (mimeographed)
- Nims, Harry Dwight: *The law of unfair competition and trade-marks...* 4th ed. New York, Baker, Voorhis & Co., 1947. 2 v. There is some treatment of patents from the monopoly aspect.
- Spencer, Richard: *The United States patent law system, with a complete program for its simplification and improvement*. Chicago, Callaghan & Co., 1931. 227p. Author was formerly First Assistant Commissioner of Patents, and professor of law at Northwestern University. This work won the Linthicum Foundation prize of 1930.
- Toulmin, Harry Aubrey, Jr.: *Patents and the public interest*. New York, Harper & Bros., 1939. 205p. A pro-patent book, very popular and not at all weighty, but interesting reading.
- Wood, Laurence I.: *The United States patent system, a survey*. New York, American enterprise ass'n., inc., 1946. 39p. (National economic problems, no. 520.) A pro-patent pamphlet.

REPORTS

- U. S. Reports. Patent Office: *Decisions of the Commissioner of patents and of the United States courts in patent and trade-mark and design cases*. Washington, D. C., Govt. ptg. off., 1869-. The official annual compilation, comprising patent cases in all federal courts, and the decisions of the Patent Office tribunals. Some volumes are out of print.
- U. S. Reports. Patent Office. *Decisions in patent and trade-mark cases...* This is the "advance sheet" form of the C.D., listed above, appearing in the weekly *Official Gazette of the United States Patent Office*, and is the only part of that gazette which is not strictly industrial. The last issue in each month is devoted to trade-mark decisions.
- U. S. Reports. Court of Customs and Patent Appeals: *Reports...* Washington, D. C., Govt. ptg. off., 1911-, v. 1-. Volumes 1-16 have the title, Court of Customs Appeals, *Reports...* and have no patent cases. Beginning with volume 17 there are two separate series, customs and patents. Rules and amendments are printed, as in other official United States reports series.
- U. S. Reports. Patent Office: *United States*

patents quarterly; reports of cases relating to patents, trade-marks and copyright. v. 1-, 1929-. The title is a misnomer: *Patent, trade-mark and copyright weekly reports*, is the advance sheet form of this series, cumulated quarterly into bound volumes entitled *United States patents quarterly...* There are annual and cumulated digests. Very expensive but indispensable in a patent library. Unique in that it prints many "manuscript" decisions ("MS," as abbreviated) which are nowhere else published. These Patent Office decisions are not printed in the *Commissioner's decisions*, but are often referred to by examiners, though their citation now is somewhat restricted.

Federal reporter and United States Supreme Court reports in all series carry court reports relating to patents, of course. State reports are not concerned with patents except as intellectual property: contracts, licenses, royalties, etc.

DIGESTS

From the very beginning there have been frequent and sporadic publications of single-volume patent digests, but they are no longer particularly important. The latest of these seen is

Baldwin, William Edward: *Digest. Patent, copyright, trade-mark cases, including unfair competition, covering volumes 1 to 297 of the United States Supreme Court reports...* with annual cumulative pocket supplements. Cleveland, Banks-Baldwin Co., 1936. v.p. This has some value, but since so few patent cases ever reach the Supreme Court, its use is limited.

Federal digest: This is a conventional digest and probably the one most used by others than patent practitioners. It is also useful as a Shepardizer of patents, as it contains a numerical list, in all units, of adjudicated patents. For trade-marks it does the same by name of mark.

Gourick's Washington digest, Washington, 1888-1909, v. 1-21, is a rare item, the real usefulness of which is seriously impaired by the lack of the usual indexes, tables, and classified arrangement. It is more properly a periodical containing digests.

United States patent quarterly: This digest, for the period covered, is by far the best of the book-form digests, in nearly all respects. More cases are digested and the digests themselves are longer.

Underwood's card digest of patents (there is a similar one for trade-marks) is the one the practitioners swear by if they can acquire it and keep it up. The digests are on cards. It is unlikely that a law school library would be interested in it, as it is expensive to keep up, in original cost and manpower to file.

CITATION BOOKS

Shepard's Federal citator covers patents very completely, both cases in all series, including the *United States patents quarterly*, and adjudicated patents by patent number.

United States patents quarterly lists adjudicated patents, with citations to the case adjudicating, and also patents cited in the decisions, but does not otherwise serve as a citation book.

Federal digest serves as a citation book insofar as it lists adjudicated patents and the cases adjudicating them.

PERIODICALS

American Bar association, Section on patent, trade-mark and copyright law: *Report*...

Journal of the Patent Office Society, v. 1, September 1918-. This is the only United States patent trade journal of any consequence now extant. The Patent Office Society membership is composed for the most part of examiners and attorneys, and this is the best repository of discussion of adjective law. There are also articles on trade-marks. It is a monthly.

Patent Office papers: (not a title). From 1914 to 1917, some 77 papers "read before the Examining Corps of the United States Patent Office" were printed, being discontinued with the advent of the *Journal* above mentioned. These are much sought after and are almost collectors' items.

Patent and trade-mark review: v. 1, Oct. 1902-. Except that it prints laws and regulations of all countries, relating to patents and trade-marks, this is in no sense a patent review now, but only a trade-mark review.

Articles on patent law, usually from the trade regulation aspect, appear from time to time in all American law reviews. More per issue are published in the *George Washington law review* and the *Georgetown law journal* than in any others, and occasionally these deal with patent solicitation.

MISCELLANEOUS

White, William Wallace: *Patents throughout the world*... 2d ed. by Byfleet G. Ravenscroft. New York, Trade Activities, Inc., 1928, [with frequent supplements to date.] A loose-leaf printing of patent laws, in English, of all countries, by the publishers of the *Patent and trade-mark review*. A similar service, not yet seen by the compiler of this list, is:

Michel, A. J.: *World's patent laws*. New York, 15 Park Row, 1945-. Loose-leaf. Another new work not yet seen by the compiler is:

Carlsberg, O.: *Guide to patents, trade marks and designs*. Chicago, Singer, Ehlert, Stern and Carlsberg, 1947. Loose-leaf. Judging by the price, \$20, it aims at considerable completeness.

Though this list is incomplete, there is little of real importance lacking from the United States side. However, it should be remembered that lawyers generally are concerned with patents and trade-marks essentially from the trade regulation or monopoly side, rather than of patent or trade-mark solicitation. Also, an American library should have British material, including the *Reports in patent, trade-mark and design cases*, and to be certain of the latter item before buying, as it is torn out of the *Illustrated official journal*, and may have its binding pages destroyed in the process.

TRADE-MARKS

As earlier indicated, this list is highly selective, containing no foreign titles and very little on the international side.

The adjective law relating to trade-marks, like that of patents, is administered by the Patent Office, but, unlike patent law, as far as the literature is concerned the substantive law, as a branch of that of unfair competition, is more important than the procedure of solicitation before the Patent Office.

This is particularly true at present, since the Lanham Trade-Mark Act, passed July 6, 1946 and in force a year later, has completely rewritten the statutes and radically changed them in most important particulars. Much if not most of the pre-1946 literature on trade-marks is therefore obsolete or subject to serious inquiry. The best material at present on changes effected by the new law is in the periodicals.

Though it is too early yet to write with certainty on all phases of trade-mark law under the Lanham Act, two works have appeared which analyze the Act and compare its incidents with those of the preceding statutes. These are by Daphne Robert and Harry A. Toulmin, Jr., and are commented upon below.

It should be noted again that while both patents and trade-marks are issued by the Patent Office, patents, being expressly authorized by the Constitution, are exclusively a federal matter, whereas trade-marks are federally protected only under the Commerce Clause as a phase of interstate commerce. (Article I, Section 8, Clause 3.) There is accordingly a limited state registration in all the forty-eight states of the Union, of marks used in intra-state commerce, but under the new act, which accepts the Constitutional interpretations of the past fifteen years, even many of these hitherto purely intra-state marks may "affect" inter-state commerce so as now to fall exclusively within federal jurisdiction.

Because trade is international, there is a decided international aspect to trade-marks, and a considerable literature on the subject. This list, however,

is confined almost exclusively to the United States law and literature.

LAWS

Constitution: Trade-marks, unlike patents, are not expressly authorized by the Constitution, though until 1876 it was supposed that they were. See comment above.

Public Law 489, 79th Congress, 60 Stat. L. 427. Ch. 450, is the Lanham Act.

U. S. Code: Title 15 (Commerce and Trade), Chapter 22, sections 1051-1127, Contains the trade-marks law. The *U. S. C. A.*, edition 1948, in addition to the annotations to the earlier acts, is preceded by a 24-page commentary on the Lanham Act, by Daphne Robert, a prominent trade-mark attorney.

Trade-mark statutes are included also in the *Rules of practice in trade-mark cases*, notes below. Trade-mark statutes, both old and new, and usually including the texts of pertinent international conventions, are included in treatises on trade-marks. *Hopkins* and *Derenberg*, which see below, print also the laws of each of the forty-eight states on the subject, though the time which has elapsed since their publication seriously impairs their present value.

Probably the most useful editions of the Lanham Act at present are the following two. They are not, strictly speaking, treatises on the law of trade-marks, but analyses of the new Act and comparisons of it with those preceding it:

Robert, Daphne: *The new trade-mark manual: a handbook on protection of trade-marks in interstate commerce*. Washington, Bureau of national affairs, Inc., 1947. xxi, 375 p. In addition to a brief history and explanation of trade-mark statutory protection, this work analyzes, though not section by section, the new Act. In addition, there are texts of all pertinent un repealed statutes, including international conventions to which the United States is a party, the legislative history of the Lanham Act, and a bibliography.

Toulmin, Harry Aubrey, Jr.: *Trade-mark act of 1946, analyzed, annotated and explained*. Cincinnati, W. H. Anderson Co., 1946. x, 224p. This is a section-by-section comparison of the old and new acts. Though in some respects less useful than Robert, the legislative history is much more complete, and both works are at present indispensable.

Trade marks throughout the world, compiled by William Wallace White and Byfleet G. Ravenscroft, New York, Trade activities, Inc., 1930-, is a loose-leaf collection of the pertinent statutes of all countries. The texts of the acts are not given verbatim but are paraphrased in English. The first publications of this material, however, are likely to occur in the Patent and *Trade-Mark Review*, also published by the publishers of the loose-leaf service. (See under Patents.)

Rules of practice in trade-mark cases, with forms and statutes. July 5, 1947.... Washington, D. C., Govt. ptg. off., 1948. 139p. This is the new edition of the *Rules*, pursuant to the Lanham Act, and is indispensable (and free on application to the Patent Office.) In addition to the rules and forms, the text of the new Act is given, plus pertinent provisions of other statutes relating to trade-marks. The *Rules* just superseded by this edition are to be found in nearly all of the treatises listed below, and the new *Rules* also are in Callmann and Nimms, as pocket supplements. They are also found in the:

Federal register, of June 19, 1947, p. 3956, and in the *Code of Federal Regulations*, Title 37, Part 100. Amendments as they are adopted, will also appear in these publications and in the weekly *Official Gazette* of the Patent Office, in the final issue for each month.

TREATISES

There are comparatively few United States treatises of present interest and none of any completeness written since the enactment of the Lanham Act. It is unfortunate that new editions of the two principal works currently used by practitioners, written just prior to the passage of that act and consequently ignoring it, were not postponed. Callmann appeared in 1945, a year before the Act, and Nimms in 1947, a

year after it but contains only one and one-half inserted pages pertaining to it.

Hopkins, James Love: *The law of trade-marks, tradenames and unfair competition*. ... fourth ed.... Cincinnati, W. H. Anderson Co., 1924. 1054p. Among trademark lawyers this work has attained the stature of a classic, and is included here for that reason, in spite of the quarter-century-old publication date. Part II reprints all United States trade-mark laws from 1870 to 1924, those of the states and territories, international conventions, and some other miscellaneous fair trade statutes.

Callman, Rudolf: *The law of unfair competitions and trade-marks*.... Chicago, Callaghan & Co., 1945. 3 v. The first volume of this work is devoted exclusively to unfair competition matters but the last two present one of the two most complete treatments of the law of trade-marks. It is strictly a practitioners' book. There are the usual statutes, including international agreements to which the United States is a party, and fair-trade and anti-trust acts not directly related to trade-marks. Published in 1945, a year prior to the Lanham Act, it is supplemented by pocket parts and by a separate pamphlet; also by Callman: *Trade-marks and the Lanham act*... N. Y., Patent and trade-mark institute, [1947]. 50p.

Nimms, Harry Dwight: *The law of unfair competition and trade-marks*.... 4th ed. New York, Baker, Voorhis & Co., Inc., 1947. 2 v. This is a "standard" text of its kind, and presents probably the most complete treatment of *unregistered* trade names and the like. It contains, in addition to conventional text material, the usual statutes. Though published a year after the passage of the Lanham Act, it ignores it except for a page and a half comment, though the Act is printed in a pocket supplement.

Derenberg, Walter J.: *Trade-mark protection and unfair trading*. Albany Matthew Bender & Co., Inc., 1936. lxix, 1162p. Though a practitioners' book, this one is distinctly different from most such, in that it cites comparatively few cases and in treatment takes very largely the historical and critical slant of the law review article. It contains the usual statutory material, including all the state trade-mark laws, the full text, and not a paraphrase. Derenberg has also writ-

ten a brief resumé of pre-Lanham Act law: *Trade-marks*. . . New York, Practising Law Institute, 1946. 58p.

Schechter, Frank I.: *The historical foundations of the law relating to trade-marks*. New York, Columbia University Press, 1925. xxviii, 211p. This Columbia Law School doctoral dissertation is invaluable for starting scholarly research, but is probably out of print.

All the above titles are "musts." A rather old but still useful book from the adjective or Patent Office side is:

Shoemaker, William David: *Trade-marks; a treatise on the subject of trade-marks, with particular reference to the laws relative to registration thereof*. . . Washington, D. C. H. D. Williams Co., 1931. 2 v.

In the international field there are three treatises which should be mentioned, though all are rather old. On the "practical" side there is:

Revenscroft, Byfleet G.: *International trade mark law and practice*. . . New York, Trade mark law pub. co., 1925. 725p. In addition to an analysis of the trade-marks laws of all countries, by subject, the full texts of the various international conventions are given, and classifications of trade-marks used by the various countries.

A scholarly work on the subject is the second half of:

Ladas, Stephen P.: *The international protection of industrial property*. Cambridge, Harvard Univ. Press, 1930. xii, 972p. (*Harvard studies in international Law*, no. 2). A similar work by Ladas, more limited in scope, is: *The international protection of trade-marks by the American republics*. Cambridge, Harvard univ. press, 1929. 136p. (*Harvard studies in international Law*, no. 1.)

This is a serious effort to incorporate the Lanham Act into the text of an earlier treatise, and the only one seen to date of which that is true. It contains the text of the Act and of the new *Rules of Practice*.

Amdur, Leon H.: *Trade-mark law and practice*, Lanham Act edition. New York, Clark Boardman Co., Ltd., 1948. 776p.

REPORTS, DIGESTS, CITATION BOOKS, PERIODICALS.

See titles listed under *Patents*, supra, and add:

The trade-mark reporter . . . v.1-, June 1911. New York, United States trade-mark association. This absorbed, in January, 1941, the United States trade-mark association Bulletin, November 1887-1940. The *Reporter* consists chiefly of reports of trade-mark cases, but also has good leading articles.

[Decisions in Patent and Trade-Mark Cases, etc.] has appeared in various forms, including mimeographed. Beginning with January 1936 it has appeared in the final issue of each month of the *Official Gazette of the United States Patent Office*, under the title *Bulletin of Decisions of the Patent Office on Trade-Marks*. It also contains amendments to the *Rules of practice* as promulgated.

HEARINGS

The Congressional hearings on the various trade-mark bills are too numerous for listing here, but those for the bills of 1905, 1920, 1938 and 1944 are worthy of especial note. There were no hearings on the Lanham Act, but there were on H.R. 82, 78th Congress, 2d session (Washington, Govt. Ptg. Off., 1944. 156p), and as this bill was essentially identical with the Lanham Act, these hearings should be acquired.

COPYRIGHT

Statutory copyright of literary and artistic productions is, like patents, provided for in Article I, Section 8, Clause 8 of the Constitution; and since the Congress has legislated on the subject beginning with 1790, state legislation is excluded from this field. However, following the lead of the Continental Congress on May 2, 1783, all the original thirteen states but Delaware had enacted copyright legislation in the period from 1783 to 1786. Since 1790 such of this legislation as con-

licts with the federal statutes or occupies the same field has been repealed.

Since 1909 the changes in the basic law have been few, in spite of the fact that the United States has perhaps the unfairest of copyright laws and that there has been constant and determined effort, the latest in 1947, at revision. The manufacturing clause imposed by the labor unions excludes the United States from the International Copyright Union, to which nearly all other nations belong, and results in loss to American authors.

Though little known to most lawyers, there is an important common law copyright coverage, in some respects more valuable than the statutory variety, but there is very little literature on it. The most extensive treatment is probably that in chapter V of *Weil*, noted below. A field of growing interest, but in which little effective protection is provided, is that of designs in the clothing industry. In 1940 the administration of the law relating to prints and labels was transferred from the Patent Office to the Copyright Office.

The following list is very brief but includes the principal American works of current or historical interest, and, because England has played such an important part in the development of copyright law, a few English titles are given. The literature of copyright is not extensive, nor, judging by the comments of lawyers, very satisfactory.

STATUTES

Constitution: Copyright is covered by Article I, Section I, Clause 8.

U.S. Code: By the Act of July 30, 1947, chapter 391, Title 17, of the U. S. Code, Copyrights, was "codified and enacted into the positive law...." as part of a program

under which, title by title, the Code is being enacted into the law instead of being merely *prima facie* the law. The statutory law of copyright, therefore, is not the Act of March 4, 1909, chapter 320, as amended, because that has been superseded as authority; the law is in the Code. Amendments to the Code, however, will until reenacted as the law, be only *prima facie* the law. Anyone interested in the subject of statutory authority would do well to examine the *U.S.C.A.*, Title 17, and the *U. S. Code Congressional Service* (1947), p. 1514. Note, that the sections are by no means identical in numbering with those of the original Title 17.

Earlier forms of the statutes are found in the treatises listed below.

U. S. Laws, statutes, etc.: *Copyright enactments of the United States. 1783-1906*; comp. by Thorvald Solberg.... Washington, D. C., Govt. ptg. off., 1906. 174p. (Copyright office Bulletin no. 3, 2d ed., revised), is a useful compilation, which includes Confederation legislation of 1783, state legislation, 1783-1786, all the public acts from 1790 to 1905, private acts, 1828-1898, territorial acts, Presidential proclamations, 1891-1905, treaties, 1899-1906, state laws affecting common law copyright protection.

U. S. Laws, statutes, etc.: *Copyright law of the United States of America, being the Act of March 4, 1909, as amended, together with Rules for practice and procedure*.... Washington, D. C., Govt. ptg. off., 1942. 76p. (Copyright office Bulletin no. 14.)

U. S. Copyright office: *Copyright in Congress, 1789-1904; a bibliography and chronological record of all proceedings in Congress.... April 15, 1789, to April 28, 1904.... prepared by Thorvald Solberg*.... Washington, D. C., Govt. ptg. off., 1905. 468p. (copyright office Bulletin no. 8.) This bibliography is a heavily annotated legislative history.

The texts of international legislation, conventions, etc., are found in most of the treatises, the most complete collection up to 1938 being in *Ladas*, noted below. The most complete recent collection of foreign copyright legislation is in:

Koepfle, Leo G.: *Copyright protection throughout the world*.... Washington, D.

C., 1936-37. 7 pts. (Dept. of Commerce, Bureau of foreign and domestic commerce, Division of commercial laws. *Comparative law series*, nos. 582, 587, 594, 596, 598, 601.) Processed; English translations of the texts of the laws of the various countries.

TREATISES

The literature is not heavy, and much of the best, including nearly all the critical material, is in the periodicals. The following should be noted:

Bowker, Richard Rogers: *Copyright, its history and its law; being a summary of the principles and practice of copyright with special reference to the American Code of 1909 and the British Act of 1911*. Boston, Houghton, Mifflin co., 1912, xxiii, 709p. This scholarly work, by a publisher who had a great deal to do with the enactment of the Code upon which he comments, is still the best of its kind. Though it cited some cases, it is not essentially a practitioners' book. There are 190 pages of statutory material.

Solberg, Thorvald: *Copyright miscellany; being later contributions concerning the protection of literary and artistic property*. . . . Boston, John W. Luce co., 1939. v.p. This is a collection of pamphlets, with covering index, giving Dr. Solberg's views. He was for many years Register of Copyrights.

Weil, Arthur W.: *American copyright law*. . . . with appendices containing forms from adjudicated cases and the copyright laws of England, Canada, Australia, Germany, and France. Chicago, Callaghan & co. 1917. ix, 985p. Though this work contains only 585 pages of text comment, the remainder being statutes, it is the practitioners' classic in its field. It is probably out of print.

Amdur, Leon H.: *Copyright law and practice*. New York, Clark Boardman c., Ltd., 1936. x, 1332p. A typical practitioners' book, with special emphasis on litigation, which is unusual.

Ball, Horace G.: *The law of copyright and literary property*. Albany, N. Y. Banks & co., 1944. xxi, 976p. Also a typical practitioners' book. By virtue of its late publication date, it has the most nearly up-to-date collection of statutes of any treatise.

Howell, Herbert A.: *The copyright law: an analysis*. . . . including prints and labels. Washington, D. C., Bur. of national affairs, inc., 1942., viii, 280p. Based upon a series of

lectures by the author, former Assistant Register of Copyrights, this is very useful. The author has written a still briefer outline in *Copyrights*. New York, Practising law inst., 1946. 71p.

DeWolf, Richard C.: *An outline of copyright law*. Boston, John W. Luce co. c1925. xxiv, 330p. The author was formerly Solicitor and later Acting Register of Copyrights. The book is not a practitioners' work but is useful to a practitioner or anybody else seeking a quick-reference knowledge of copyrights.

Wittenberg, Philip: *The protection and marketing of literary property*. New York, Julian Messner, inc., c1937. 395p. This is a collection of essays to read. A useful feature is the collection of contract forms for books, motion pictures, dramatic productions, etc.

Nicholson, Margaret: *A manual of copyright practice for writers, publishers, and agents*. New York, Oxford university press, 1945. x, 255p. This may well be the most-used copyright book in the library, though it is not a law book, strictly speaking. Its author, after many years of answering questions from authors and publishers on every phase of how and what to copyright, has set it down here. A must.

There are a number of rather specialized treatises, among which are:

Shafter, Alfred M.: *Musical copyright*, 2d ed. Chicago, Callaghan & co., 1939. xix, 667p.

Socolow, A. Walter: *The law of radio broadcasting*. . . . New York, Baker, Voorhis & co., inc., 1939. 2 v. The second volume discusses copyright from the radio broadcast viewpoint.

Frohlich, Louis D., and Schwartz, Charles: *The law of motion pictures*. . . . New York, Baker, Voorhis & co., 1918. lvi, 943p. Old but still useful.

Amburg, Robert: *Legal rights of performing artists*. . . . tr. and annotated by Maurice J. Speiser. New York, Baker, Voorhis & co., 1934. vii, 184p. Though a foreign work it has some American application in this very narrow field.

Marchetti, Roger: *The law of the stage, screen and radio, including authors' literary property and copyright in drama, music, plays and radio script, defamation through screen or radio, broadcasting drama*. . . . San Francisco, Sutton house, Ltd., c1936. 476p.

A field affording little statutory protection is that of fashion design. There

have been numerous bills introduced into the Congress, but nothing has come of them. Perhaps the most complete discussion is that in:

U. S. Congress. House of representatives. Committee on patents: *Hearings*, 72d Cong., 2d session: *Design protection*. Washington, D. C. Govt. ptg. off., 1932. 148p.

Creange, Henry: *Safeguarding industry against the pilfering of ideas. (A plan for wiping out design piracy.)* New York, c.1934. 67p. (Reprinted from his *The guilds of America*).

Gotshal, Sylvan: *The pirates will get you; a story of the fight for design protection*. New York, Columbia university press, 1945. 103p.

An interesting series of law students' essays is in the *Copyright symposium* of the Nathan Burkan Memorial Competition, of the American Society of Composers, Authors and Publishers (ASCAP). The first appeared in 1938.

REPORTS, DIGESTS, CITATION BOOKS.

PERIODICALS

U. S. Copyright office: *Decisions of the United States courts involving copyright*. . . Washington, D. C., 1909-. (These appear irregularly as *Bulletins* of the Copyright Office, comprising numbers 17 to date.) For other reports and digests covering both patents, trade-marks and copyright, see under Patents. There are no periodicals devoted primarily to American copyright law, but many articles on the subject appear in the *Journal of the Patent Office Society* and in general legal periodicals.

HEARINGS

Congressional hearings on copyright have been much too numerous to list here. The most complete statement of all points of view, including that of performing artists, was that in 1936:

U. S. Congress. House of representatives. Committee on patents: *Revision of copyright laws on several bills*. 74th Congress, 2d session. . . Washington, D. C., Govt. ptg. off., 1936. 156op. Some of the briefs submitted were exceedingly detailed and the publication is in a small way a reference book of conflicting viewpoints and policies.

In the 80th Congress, 1st session, three bills were introduced, looking toward the revision of the copyright statutes, and hearings were held. However, the printed record concerns almost entirely the rights of the musical composer, particularly in his royalty interest in revenues from coin-operated machines:

U. S. Congress. House of representatives. Judiciary committee: . . . *Authorizing a composer's royalty in revenues from coin-operated machines and to establish a right of copyright in artistic interpretations: Hearings*. . . 80th Congress, 1st session. . . Washington, D. C., Govt. ptg. off., 1947. 294p.

ENGLISH TITLES

Three English works should be mentioned, because of the leading part England and English legislation have played in this field:

Birrell, Augustine: *Seven lectures on the law and history of copyright in books*. London, Cassell and co., ltd., 1899. 228p. This is an excellent and readable account of copyright before the English law of 1911. It is probably out of print.

Copinger, Walter A.: . . . *Law of copyright*. . . 8th ed. London, Sweet & Maxwell, 1948. The leading work on the 1911 Act.

Partridge, R. C. Barrington: *The history of the legal deposit of books throughout the British Empire*. London, The library association, 1938. xvii, 364p. A thesis.

INTERNATIONAL COPYRIGHT

The literature is voluminous and in many languages, but only two titles are listed here:

Briggs, William: *The law of international copyright*. London, Stevens & Haynes, 1906. xx, 85op. An old book but historically useful.

Ladas, Stephen P.: *The international protection of literary and artistic property*. New York, The Macmillan co., 1938. 2 v. (Harvard studies in international law.) The best work. Volume 2 devotes about 200 pages to the United States law.

LEGISLATIVE COUNCILS

By FREDERIC H. GUILD

Director, Research Department, Kansas Legislative Council

In 1943, the LAW LIBRARY JOURNAL published a bibliography on Legislative Councils.* The following article is supplementary to that and includes only information and material from January, 1943 to January, 1949.

There has been a rapid development in the use of legislative councils and similar agencies in the past six years. In 1943, ten states had legislative councils or legislative research committees, functioning actively. In 1949, there are twenty such states, an increase of 100% in the period. One legislative research committee was established in 1943, in Missouri. In 1945, three additional states adopted similar organizations, Alabama with a legislative council, Indiana with a legislative advisory committee for the legislative bureau, and North Dakota with a legislative research committee. In 1947, six new states were added to the list and one state, Oklahoma, in which the legislative council had been dormant, became active. These states were Arkansas, Utah, Washington, Wisconsin, with legislative councils, Minnesota with a legislative research committee, and Ohio with a legislative research commission.

In the meantime, two states have been dropped from the list: Michigan, whose council had been abolished in 1939, as reported in 1943; and Rhode Island, whose council had never been

fully activated and is no longer in operation, although the law has not been repealed.

Two other states, which have been included in some current lists, have been excluded from this report as having services more analogous to other agencies than to the legislative council. These are California and Nevada. In 1941, the California legislature, by Joint Rule 36, established a joint committee called the Legislative Budget Committee. This was reaffirmed by Joint Rule 37 (renumbered) in 1945. The function of the committee was to make recommendations to the state legislature concerning state budget, receipts and expenditures, and organization and functions of the state, its departments, sub-divisions and agencies, with a view to reducing the cost of state government and securing greater efficiency and economy. A legislative auditor was created and his duties included the instruction to assist any member of the legislature or any committee thereof in any matter. In certain respects, consequently, there was authority to embark on work very closely related to that undertaken by legislative councils, and on various occasions this has been done. However, Utah, which copied the California experiment verbatim in 1945, abandoned this organization and established a legislative council in 1947.

Similarly, the statement of functions

* LAW LIBRARY JOURNAL Vol. 36, No. 5, Nov., 1943, pp. 169-190.

in the act creating the Nevada Legislative Counsel, established in 1945, would permit work in the general field of legislative research. Nevertheless, that office is much more analogous to the California Legislative Counsel, of long standing, and the latter is much more analogous to the revisor of statutes in other states or to the bill drafting work of long-established legislative reference bureaus. None of these states are functioning with a combination of a continuous, permanent interim committee and a research staff in the manner found in most of the states which have adopted legislative councils or legislative research committees. It is difficult to draw a line, but many legislative reference bureaus, without legislative councils, have been performing similar functions for years.

Several changes were made in legislative councils which have been established for some time. The Kentucky Council, which had made sporadic progress on scanty appropriations and insufficient staff for many years, was reactivated in 1947 with a change of name to "Legislative Research Commission," and was given an ample appropriation. The Oklahoma Council, created by an act of 1939, but inactive because the senate members were not appointed, was reactivated in 1947 with a substantial appropriation and has been very active during the past biennium. The Maryland Council was given an additional function through the creation of a state fiscal research bureau within the legislative reference department, with an additional appropriation. The Kansas council took on a new function with the creation of a legislative budget

committee and a legislative fiscal officer as its secretary, with an additional appropriation, for the purpose of providing budgetary information for the ways and means committees. In Nebraska, the council took over the work of the former legislative reference bureau. In Connecticut, the council has been made the administrative agent for the Connecticut Commission on Intergovernmental Co-operation, the Atlantic States Marine Fisheries Commission, and the Commission on Uniform Legislation.

In general, the financial support for the earlier established agencies has been increased in most states, and appropriations for most of the newer agencies placed them on a fairly sound footing.

The fact is that there is a general tendency towards the development of a general legislative service agency. This is further evidenced by the first national conference of state legislative service agencies held under the auspices of the Council of State Governments in Chicago, Nov. 20-21, 1947, followed by a permanent organization of the Conference at the second meeting in Chicago on Oct. 21-22, 1948. Therein the attempt is being made to bring together all of the legislative services regardless of the name or specialized function, even including those dealing primarily with statutory revision.

This trend is further brought out by recent developments in states which have adopted legislative councils or legislative research committees. Where complete legislative service has not previously been authorized, as in Missouri, the new agency incorporated

all of the variety of functions possible for legislative reference, research, bill drafting and statutory revision. Where existing agencies were in a position to assume the new function, as in Maryland and Virginia, the legislative council was co-ordinated with the existing office and was not established as an independent agency. The fact is that the decision as to whether to have a single agency or two or more relatively independent agencies in the field of legislative service is one for each individual state to make on the basis of the history of the legislative services which have existed in that state and their status and prestige at the time the legislative council or research committee is established.

Most of the states are still using the original term "legislative council." There are six of the states, however, which have preferred the term "legislative research committee" or commission. The laws, under either name, are frequently very similar, but there has been a shadow of distinction in the function implied. The term was originally adopted by Maine in 1939 because of the possible confusion with the governor's council and was first adopted deliberately by Missouri in 1933 in contrast to "council" to avoid implications arising in the discussion of the legislative council in the previous session. The debate on function was particularly noticeable preceding the adoption of the Minnesota legislative research committee law in 1947. There the principle difference was that the research committee was not to make recommendations to the legislature, but merely to make factual research reports. It is possible that the

distinction has been over-emphasized in recent discussions, since the original legislative councils which were authorized to make recommendations have encountered no difficulty with this provision. However, a few of the legislative agencies have taken the position, whether or not the laws of those states so provide, that they will make no recommendations and submit no bills. This is in contrast to the work of Maryland and North Dakota, for example, where research reports are reduced to a minimum and the major work of the council or research committee has consisted in the careful checking over and re-drafting of bills to have a substantial amount of work ready for the opening of the legislative session. Of course this is not revealed in the bibliography under such states and can be seen only by examination of their official reports.

In general, there has been little fundamental change in the composition or functions of the councils or research committees created in the past six years. Some follow the original Kansas plan of a fairly large representation from the House and Senate, while others have preferred a smaller membership.

All of the councils except Kentucky have remained essentially legislative in composition. The new Kentucky legislative research commission had the governor as *ex officio* chairman but all the other seven members are from the legislative body.

As will be noted from the bibliography, these legislative councils and research committees are producing a substantial amount of research reports, although the volume varies

greatly from state to state, according to the emphasis placed upon that particular phase of its functions. The extent of activity, however, cannot be measured by the bibliography, since a large part of the work of these councils may be typewritten or mimeographed memoranda rather than in formal reports duplicated for distribution.

It should also be noted that the amount of public discussion of the need for or the functions of a legislative council has declined in recent years insofar as that is measured by articles or comments in periodicals. One thing the bibliography does bring out is the need for a somewhat more critical analysis of these agencies on the part of trained, but independent observers, as a means of perfecting this new legislative instrumentality.

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- State Legislatures Act for More Efficiency, Legislative Planning and Research Gain, by H. M. Olmstead, Nat. Mun. Rev. Feb. 1949 pp 85-86.

ALABAMA

Statutory Provisions

"An act to provide for an information, research, codification, and bill-drafting service . . ." Ala. General Acts 1945 p. 190; Title 55, Sec. 244 (1) — (8), Ala. Code 1940, Pocket Part.

Appropriations

To the Legislative Reference Service: For 1945, \$10,000; 1946-47 Biennium \$50,000; 1948-49 Biennium \$70,000.

To the Legislative Council: for expenses of members for 1945, \$1,000; 1946-47 Biennium \$4,000; 1948-49 Biennium \$5,000.

Minutes

Mimeographed minutes of each meeting of the Council are sent to every member of the Legislature after each meeting of the Council.

Rules

Rules of procedure adopted by the Council appear at length in the minutes of January 14, 1948, but have not been printed for distribution.

Official Reports

First biennial January 1947:

I: Report to the Legislature concerning Legislative Council and Legislative Reference Service Activities.

II. Suggestions for State of Alabama Legislation from the Legislative Council to the Legislature.

Publications

Privilege License Schedule in Alabama. Ja '46 48p mim.

Mechanics for Consumer Payment of Retail Sales Tax. O '45 9p mim.

Statutory Grounds and Residence Period Requirements for Absolute Divorce. Ja '46 12p mim.

Compulsory Support for the Illegitimate Child. Je '46 27p mim.

Alabama State Printing. Je '46 39p mim.

Suggested State Postwar Legislation. Je '46 9p mim.

Quasi-Legislative and Quasi-Judicial Functions in Alabama State Administrative Agencies. Jl '46 34p mim.

Alabama State Purchasing. S '46 14p mim.

Disposal of State Personal Property. D '46 8p mim.

The Privilege of Voting in Alabama. Mr '48 23p mim.

Report to the Legislature of Alabama Concerning Legislative Council and Legislative Reference Service Activities. Je '47 12p mim.

Regulation of Powered Cycles. Je '48 13p mim.

Alabama's Lawmaking Organization and Procedures. Ap '48 41p mim.

Construction and Maintenance of State Buildings. Ap '48 7p mim.

A Comparative Analysis of State Liquor Monopoly Statutes. Je '48 24p mim.

Alabama's Homestead Exemption: Should It Be Enlarged? Je '48 5p mim.

Preventing Child Marriages. Je '48 5p mim.

Legislative Enactments Vetoed in 1947. Ap '48 4p mim.

Limitation of Election Campaign Expenditures. O '48 11p mim.

The Meeting Dates of County Boards of Registrars. D '48 6p mim.

Regulation of Motor Driven Cycles. N '48 11p mim.

Election Law Revision. D '48 24p mim.

Financing Public Welfare in Alabama. D '48 16p mim.

Administration of Unemployment Compensation in Alabama. D '48 7p mim.

A Manual for Alabama Legislators. 4th ed '47 110p printed

Suggestions for State of Alabama Legislation. Ja '47 24p printed

ARKANSAS

Statutory Provisions

Act establishing a legislative council. Act 192, 1947.

Appropriations—None.

(Without an appropriation, members waived expenses, and a temporary research director reported activity on eight subjects in 1948.)

CONNECTICUT

Statutory Provisions

The Legislative Council Act (1937, S. 5e subs (a); 1943, S. 10g 1945 S. 8h) Legislative Research Department. P. A. 5, 1947 Ch. 2, Conn. Gen. Stat., Rev. of 1949, Sec. 54-62, incl.

Appropriations

Per annum: 1944, \$5,000, 1945-46 \$11,720; 1946-47, \$12,320; 1947-48, *\$25,389.25; 1948-49, *\$24,000.

Officials Reports

Special report. D '43 32p

Fourth biennial report. D '44 82p

Special report. D '44 10p

Fifth biennial report. D '46 109p

Sixth biennial report. D '48 63p

Publications

Research studies and recommendations are published in the biennial report, but the following were reprinted as separate pamphlets, although no longer available for distribution.

Department of professional and vocational licensing. D '38 48p

Eastern Connecticut economic survey. Sponsored by the Connecticut Legislative council. Prepared by Works Projects Administration, under direction of Elmer R. Coburn. D '38

Report of the committee appointed to study the state hospitals for the mentally ill and the training schools for the mentally defective, committee created by the special session of the general assembly, May, 1946 (Mulvihill committee). D '46 30p

(* Legislative Council made administrative agent for Connecticut Commission on Intergovernment Co-operation, the Atlantic States Marine Fisheries Commission, and the Commission on Uniform Legislation.)

Limited number of the following are available to governmental research agencies.
 Report to the legislative council by a committee appointed to study the problem of the criminally insane. D '45 31p
 Information for Connecticut legislators. D '46 25p
 Information for Connecticut legislators. D '48 32p
 Compilation of rulings by presiding officers of legislature. D '45

Articles in Periodicals, etc.

Connecticut voter, The. Vol. 8, No. 3 N '47
 Legislative council prepares for assembly. Conn. State Journal. N '44

ILLINOIS

Statutory Provisions

"An act to create a Legislative Council . . ." Ill. Laws 1937, p. 211, as amended by Laws 1941, v. 1, p. 817 and by Laws 1943, p. 814; ILL. REV. STAT. (Bar Ass'n Ed., 1943) c. 63, secs 33-42.

Appropriations

1948-49 biennium, \$63,637
 Legislators receive no compensation as members of the council but are reimbursed for their necessary expenses.

Rules

Council rules are included in the annual reports.

Official Reports

Annual Report for 1943. Ja '44 34p printed
 Annual Report for 1944. Ja '45 37p printed
 Annual Report for 1945. Ja '46 37p printed
 Annual Report for 1946. Ja '47 35p printed
 Annual Report for 1947. Ja '48 39p printed

Publications

59. Billboard Control. Mr '44 20p mim.
60. Legal Grounds for Divorce with Special Reference to insanity. My '44 37p mim.
61. The Suability of the State. S '44 18p mim.
62. Motor Vehicle License Plates. S '44 15p mim.
63. Inheritance Tax Refunds. N '44 33p mim.
64. The Illinois and Michigan Canal. N '44 18p mim.
65. Control of Tuberculosis by the State. D '44 39p mm.
66. Reapportionment in Illinois. F '45 48p mim.

67. Pensions for Policemen and Firemen. Mr '45 32p mim.
68. Taxation of Hospitals. Mr '45 22p mim
69. Adoption Laws. My '45 22p mim.
70. Assessment Ratios. F '46 269p mim.
71. Sterilization Laws. N '45 27p mim.
72. Adult Education in Illinois. N '45 54p mim.
73. Absentee Voting by Civilians. Ja '46 21p mim.
74. County Zoning Ordinances in Illinois. Mr '46 21p mim.
75. State Personnel Administration in Illinois. Ap '46 59p mim.
76. Veterans Rehabilitation Legislation. Je '46 37p mim.
77. Investments by Insurance Companies in Housing Projects. J1 '46 16p mim.
78. Collecting Delinquent Property Taxes. S '46 28p mim.
79. State Regulation of Firearms. O '46 30p mim.
80. Merger of Educational and Building Funds. N '46 15p mim.
81. Commitment of Epileptics. D '46 18p mim.
82. Directory of Illinois State Officers. F '48 60p mim.
83. Registration of Vital Statistics. O '47 29p mim.
84. Appropriation Requests and Enactments 1947 General Assembly. N '47 45p mim.
85. Constitutional Revision in Illinois. D '47 41p mim.
86. School Administration in Illinois. Ja '48 63p mim.
87. Selection of Judges. Ap '48 26p mim
88. Control of Ground Water. My '48 26p mim.
89. Publication Requirements as to Local Government Finances. Ag '48 23p mim.
90. Facilitating Election Registration in Downstate Illinois. Ag '48 15p mim.
91. Statutory Control of Private Trade Schools. S '48 46p mim.
92. Financial Aid for Local Governments. O '48 44p mim.

Articles in Periodicals

Saltiel, Edward P., The Illinois Legislative Council, Public Aid in Illinois, O '48 pp 4-6.15.

INDIANA

Statutory Provisions

Act creating the Joint Legislative Advisory Commission for the Indiana Legislative Bu-

reau, ch. 88 laws 1945; Indiana statutes, Supp. 1947 Sec. 60-17.

Appropriations

For 1948 \$32,400; 1949, \$41,000, total for both agencies.

Official Reports

The Commission has issued no official reports or publications.

KANSAS

Statutory Provisions

"An act relating to the creation of a legislative council . . ." Kan. Laws 1933, c. 207 as amended by Laws 1943, c. 192; an act creating a legislative budget committee, and legislative fiscal officer, within the legislative council. Laws 1947, c. 294; Kan. Gen. Stat. Supp. Ann (Corrick 1947) Secs. 46-301 to 46-315.

Appropriations

1948-49 biennium \$17,000 for council expense; \$67,000 for research; \$10,000 for special study of social welfare; and \$8,000 for legislative fiscal officer.

Journals

Journals are mimeographed after each day's session. Since March, 1937, journals have been printed quarterly for distribution.

Rules

Forms, rules and committee assignments. Printed biennially. Je '45, Je '47.

Official Reports

Sixth Biennial. D '44 300p printed.

Seventh Biennial D '46 printed.

Part I General Report 187p.

Part II Report on Physical Properties of Charitable and Penal Institutions. 170p.

Seventh Biennial. D '48 printed.

Part I Regular Report 147p.

Part II Report on the Welfare Program 192p.

Publications

121 Progress Report—November Council Meeting. A summary of the activities of the legislative council: committee reports, and consideration of proposals, quarterly meeting, N '43 18p litho.

122 Legislative Councils. Article and bibliography by Frederic H. Guild. Reprinted from LAW LIBRARY JOURNAL, November 1943. F '44 22p printed.

123 Progress Report—January Council Meeting. F '44 9p litho.

124 State Aid to Local Fairs. State aid systems in other states and information concerning Kansas fairs. Mr '44 72p litho.

125 Progress Report—March Council Meeting. Mr '44 11p litho.

*126 Progress Report—May Council Meeting. My '44 10p litho.

127 Judicial Reapportionment and Salaries and Retirement of Judges. Report of the council committee on judiciary, as adopted by the council for recommendation to the 1945 legislature. Je '44 9p litho.

*128 Progress Report—June Council Meeting. Je '44 9p litho.

129 Progress Report—September Council Meeting. S '43 10p litho.

130 School District Reorganization. Reorganization in other states, and analysis of problems of reorganization in Kansas. O '44 51p litho.

131 Progress Report—November Council Meeting. N '44 8p litho.

132 Elementary School Problem. Reorganization and Financing of Elementary Schools; Explanation of Proposed Bill and Pertinent Facts Relating Thereto. D '44 43p litho.

133 High School Problem. Development of the Kansas School System under various laws; difficulties resulting therefrom, and explanations of the Proposed Bill for Country-wide high school support. D '44 30p litho.

**134 Vocation Education. (not duplicated for distribution)

135 Progress Report—May Council Meeting. My '45 11p litho.

136 Progress Report—September Council Meeting. S '45 10p litho.

137 Progress Report—November Council Meeting. N '45 10p litho.

138 Progress Report—March Council Meeting. Mr '46 11p litho.

139 Progress Report—June Council Meeting. Je '46 7p litho.

140 Reorganization of School Districts in Kansas, 1945-46. A report of reorganizations accomplished on March 1, 1946, together with subsequent reorganization activity, by counties with state summary. Je '46 70p and maps litho.

141 Progress Report—September Council Meeting. S '46 7p litho.

142 Licensing of Professional Engineers.

Survey of state laws, with emphasis on problems of legal definition. S '46 30p litho.

- 143 Psychiatric Facilities in Kansas—Part I—Objectives of a State Program. Basic considerations involved in Kansas state planning for the care, treatment and prevention of mental disorders. N '46 9p litho.
- 144 Retirement of Municipal Employees. N '46 42p litho.
- 145 Psychiatric Facilities in Kansas—Part II—The Five State Institutions. N '46 78p litho.
- 146 Progress Report—November Council Meeting. N '46 10p litho.
- **147 State Board of Health (not duplicated for distribution)
- 148 State Regulation of Alcoholic Beverages. Ja '47 17p litho.
- 149 Progress Report—May Council Meeting. My '47 10p litho.
- 150 School District Reorganization, Kansas Experience 1945-47, A Summary. S '47 27p and maps litho.
- 151 Progress Report—September Council Meeting. S '47 10p litho.
- 152 Progress Report—November Council Meeting. N '47 9p litho.
- 153 Progress Report—March Council Meeting. Mr '48 11p litho.
- 154 Progress Report—June Council Meeting. Je '48 12p litho.
- 155 Record Land Titles—A review of laws designed to simplify land title transactions by eliminating claims within specified period. Ag '48 76p litho.
- 156 Progress Report—September Council Meeting. S '48 9p litho.
- 157 Progress Report—November Council Meeting. N '48 12p litho.
- 158 Liquor Control—A summary of licensing and taxing provisions in 45 states. Ja '49 63p litho.
- 159 Retirement of Public Employees. F '49 57p litho.

KENTUCKY

Statutory Provisions

Act creating Legislative Council. Ky. Acts 1936, p 44, 1938, c. 2.
Act creating Legislative Research Commission ch. 15, Laws 1948.

Appropriations

In 1949, \$50,000; for 1950, \$75,000.

Publications

The Assessment Problem and School Equal-

ization Aid, Information Bulletin No. 1. Mr '49.
State Liquor Monopoly or Private Licensing?, prepared for Council by Univ. Bur. Bus. Research.

Articles in Periodicals, etc.

Legislative Research and Planning in Kentucky. Kentucky Law Journal, p379 Vol. XXXVI, No. 4 My '48.
Kammerer, Gladys M., Right about Face in Kentucky. Nat. Mun. Rev. 37:303-308 Je '48.

MAINE

Statutory Provisions

An act to create a legislative research committee. Me. Laws 1940, 4th Spec. Sess., c. 315; Me. REV. STAT. (1944) Ch. 9, Sec. 23-33; repealed and replaced by Me. Laws 1947, c. 392.

Appropriations

1947-1948, \$33,983; 1948-1949, \$18,753. Cost of printing session laws comes from larger appropriation. Members receive \$10 per day plus actual expenses.

Official Reports

First report of the 92nd Legislature. Mr 29 '44 52p
Final report for 1943-1944 to the 92nd Legislature. D 1 '44 16p
Supplemental report regarding Augusta State Hospital. D 28 '44 8p
General fund revenue and expenditures, 1942-1951. My 25 '46 26p
Summary report to 93d Legislature. D 31 '46 46p
Summary report to 94th Legislature. D 31 '48 32p
State tax systems report to 94th Legislature. Ja 31 '49 29p

Publications

Report on Maine Indians. S '42 87p

MARYLAND

Statutory Provisions

Act creating legislative council Md. Laws, 1939 c. 62; Md. Ann. Code (Flack, 1939) art. 40, Secs. 26-28, as amended by Laws 1941, Ch. 887; state fiscal research bureau added, Ch. 605, Laws 1947.

Appropriations

1948-49 biennium, to legislative council \$80,000; to dept. of legislative reference, \$20,655; to fiscal research bureau, \$14,000.

Minutes

Minutes of the council's meetings are published as Part II of the biennial report to the general assembly.

Official Reports

Report to the General Assembly of 1945. D '44 96p mim.
 Proposed Bills Submitted to the General Assembly of 1945. D '44 216p printed.
 Report to the General Assembly of 1947. D '46 92p mim.
 Report to the General Assembly of 1947. Proposed Bills. D '46 printed.
 Report to the General Assembly of 1949; Vol. 1, general recommendations and proposed bills. D '48 258p printed, Vol. 2, proposed bills. Ja '49 149p printed.

Publications

22. Administration of small estates. Ag '44 23p mim.
23. Local Government: a Comparative Study. S '44 66p mim.
24. Pensions for county and municipal employees. N '44 20p mim.
25. Divorce Laws '46 65p
26. Compact of 1785 '46 34p
27. The Bouse Act '48 39p
28. The Declaration of Intentions Act. JI '48 44p mim.

MINNESOTA

Statutory Provisions

An Act creating a Legislative Research Committee, prescribing its powers and duties, and appropriating money therefor. Minnesota Laws 1947, c. 306, Minnesota Statutes 3.31 to 3.42.

Appropriations

1947-49 biennium \$57,000
 Members of the Committee receive travel expense and reimbursement for food and lodging up to \$4.00 per day for each.

Official Reports

The Minnesota Legislative Research Committee does not make formal biennial report. Each separate publication issued at any time in the biennium is in the form of a report to members of the legislature.

Publications

Two types of reports are issued: "Progress Reports" which summarize regular and special meetings for members of the Legis-

lature, and what is termed "Research Reports." The latter, listed below, are issued pursuant to specific proposals for study.

1. Bang's Disease Control Program in Minnesota, N '47 36p offset
2. Veterans Preference in Minnesota, F '48 37p offset
3. Motor Vehicle Taxation, Ag '48 80p offset
4. Grade Crossing Accidents in Minnesota, Ag '48 28p offset
5. Workmen's Compensation and Agricultural Labor in Minnesota, Ag '48 10p offset
6. Building Regulations in Minnesota, Ag '48 45p offset
7. Building Needs of the University and State Teachers College, N '48 41p offset
8. County Unit Health Plan, N '48 75p offset
9. Care of the Infirm Aged, N '48 43p offset
10. Forest and Forest Land—Minnesota, N '48 66p offset
11. Factors Affecting a Proposed Veterans Bonus, D '48 11p offset
12. Seven States' Tax Systems, D '48 81p offset
13. Care and Treatment of Mental Patients, D '48 69p offset
14. Long Term Timber Contract Bill, D '48 16p offset
15. Building Needs of Public Institutions, D '48 19p offset
16. Popular Control of the Presidential Nominating Process, D '48 24p offset
17. Twin City Office Space of State Agencies, D '48 11p offset

MISSOURI

Statutory Provisions

An Act to create a permanent joint committee of the General Assembly to be known as the Committee on Legislative Research. Laws of Missouri, 1943, p. 632, Sections 14737 to 14748 incl. (as amended Laws, 1945, p. 1136 and 1945 p. 1126).

Constitutional Provision

Committee on Legislative Research—(Constitution, 1945, Article III, Section 35).

Appropriations

1948-49—\$95,000. Members receive no compensation, only ordinary and necessary expenses.

Official Reports

- First Biennial—December 1944
 Second Biennial—December 1946
 Third Biennial—December 1948

Sparlin, Estal E. *Experts for the Lawmakers*
 Nat. Mun. Rev. p. 299 Je '48

NEBRASKA

*Publications**Reports*

- No. 1 The Physical Condition and Future Use of the Confederate Home at Higginsville, Missouri—N '44 18p printed
- No. 2 Factual Data Concerning Social Security, County Poor Houses and Eleemosynary Institutions—N '44 34p printed
- No. 3 A Factual Report on the question "Should the State Take Over the St. Louis City Sanitarium?"—D '44 15p printed
- No. 4 State Certificates of Indebtedness of Missouri—My '45 14p printed
- No. 5 Constitution of the State of Missouri with Annotations and Index—1945—247p printed
- No. 6 Compensation of County Collectors in Counties of Classes 3 and 4—D '46 27p printed
- No. 7 The Establishment of a System of Continuous Statutory Revision—Ja '47 21p printed
- No. 8 The Mentally Ill: Their Care and Treatment in Missouri—N '48 92p printed
- No. 9 Assessment and Equalization of Property in Missouri—D '48 129p mim.
- No. 10 Supplemental Study of the Mentally Ill in Four Selected States—F '49 printed

Memorandums

- No. 1 Chart of Missouri Taxes—1945, 1p printed (out of print)
- No. 2 Salaries of Circuit Judges in Missouri—1945, 1p printed (out of print)
- No. 3 Classification of Counties in Missouri—1945, 4p printed
- No. 4 Chart of Missouri Taxes (a revision of Memorandum No. 1)—Jl '46 1p printed (Rev. S '48)
- No. 5 Classes of Cities in Missouri—N '46 4p printed
- No. 6 Diagram of Missouri's Government under the 1945 Constitution—S '48 1p printed

Articles in Periodicals

Rhodes, Jack A. *Light for State Legislatures*
 Nat. Mun. Rev. p393 S '46

Statutory Provisions

"An act relating to the Legislature; to create and establish a 'Legislative Council.'" Neb. Laws 1937, c. 118, as amended by Laws 1939, c. 60; Neb. Comp. Stat. (Supp. 1941) Secs. 50-501 to 50-513.

Appropriations: Including reference library, bill drafting services and balances carried forward:

1943-945 biennium, \$49,445.00; 1945-1947 biennium, \$44,464.00; 1947-1949 biennium, \$46,971.00.

Council members are reimbursed for actual expenses.

Official Reports

The Nebraska Council does not make a formal biennial report. It does present to the legislature at the beginning of each session a final report of such recommendations as are contained in its sub-committee reports published during the interim between legislative sessions.

Publications

24. Proposed Audits for the Department of Roads and Irrigation and Board of Control. F '44 20p mim.
25. Bonding of State Officers and Employees. F '44 35p mim.
26. The Collection Appropriation and Administration of Cash Funds in Nebraska. S '44 46p mim.
27. The Nebraska State Board of Agriculture and the Nebraska State Historical Society. S '44 43p mim.
28. Educational Problems in Nebraska. S '45 43p printed

Legislative Council Sub-Committee Reports

1. Public Power. S '44 47p printed
2. Water Diversion. N '44 71p mim.
3. Public Power. Mr '46 12 p mim.
4. Interstate Toll Bridges. Jl '46 33p mim.
5. District Courts. Jl '46 25p mim.
6. Taxation and Regulation of Insurance Companies. Ag '46 23p mim.
7. Municipal Budget Law. Ag '46 25p mim.
8. Matching Federal Funds for Highway Purposes. Ag '46 19p mim.
9. Taxation. N '46 57p mim.
10. Governor's Mansion. N '46 3p mim.
11. Genoa State Farm. N '46 16p mim.

12. Colleges and Universities. N '46 13p mim.
13. Reports of State Departments. N '46 9p mim.
14. Realignment of Legislative Committees. N '46 12p mim.
15. Agricultural Associations. Je '48 20p mim.
16. Apprenticeship Councils. Je '48 14p mim.
17. School Code Revision. Je '48 18p mim.
18. Religious Societies. S '48 29p mim.
19. Allocation of Gasoline Tax. S '48 33p mim.
20. Institutions of Higher Education. N '48 35p mim.
21. Murals and Panels in the State Capitol. S '48 10p mim.
22. Children's Laws. D '48 51p mim.
23. Cash Funds. D '48 20p mim.
24. Highway Construction and Maintenance. D '48 37p mim.
25. Redistricting the State. D '48 19p mim.
26. Public Assistance. D '48 18p mim.

In addition, since the legislative reference bureau was merged with the Legislative Council in 1939, the Council has issued the following material formerly prepared by that bureau:

Nebraska Blue Book, 1940-42-44-46-48;
Subject index of legislative bills Nebraska Legislature, 1941-43-45-47-49 sessions.

NORTH DAKOTA

Statutory Provisions

Act creating Legislative Research Committee Ch. 289, Laws 1945 as amended Ch. 324 Laws 1947; Ch. 54-35 1947 Supp. N. Da. Rev. Code of 1943.

Appropriations

1948-49 Biennium \$25,000.

Official Reports

Report of the North Dakota Legislative Research Committee, '49 64p printed.

OHIO

Statutory Provisions

Act creating Legislative Research Commission, Sec. 76-11 Ohio Gen. Code (Laws 1947).

Appropriations

1948-49 biennium \$25,000.

Official Reports

The Commission has issued no official reports or publications.

OKLAHOMA

Act creating a state legislative council. Okla. Laws 1939, c. 19; Okla. Stat. (1941) tit. 74, Chapter 16, pp. 451-462. Inoperative until amended Okla. Laws 1947, c. 17; O. S. Suppl. (1947) tit. 74, c. 16, sec. 461, 462, p. 743 (appropriation sec. 516).

Appropriations

For the biennium 1947-1949. \$25,000 for Council expense. Council Members receive per diem of six dollars and travel expenses of six cents per mile for attending meetings. By Council Resolution Sept. 13, 1948, Council Members no longer receive per diem.

Journals

Journals are printed after each day's session.

Journals of State Legislative Council:

June 23, 1947

September 15, 1947

December 15, 1947

March 15, 1948

May 10, 1948

September 13, 1948

October 15 and 16, 1948

November 22 and 23, 1948.

Rules

Rules and Committee assignments mimeographed.

Official Reports

First Biennial Report, D '4 '48 108p.

Publications

1. Constitutional Studies, Report of Constitutional Survey Committee, State Legislative Council of Oklahoma.
 1. What a Constitution Should Contain, Constitutional Study Number 1, N '47 9p.
 2. Handbook on Executive and Administrative Agencies, Oklahoma State Government, Constitutional Study Number 2, D '47 88p.
 3. Institutions and Institutional Control in Oklahoma. Constitutional Study Number 2-a, My '48 36p. plus addendum.
 4. Administrative Organization in Oklahoma, Constitutional Study Number 3, D '47 23p.
 5. The Chief Executive, Constitutional Study Number 4, F '48 37p.
 6. Financial Organization in Oklahoma, Constitutional Study Number 5, F '48 49p.

7. Personnel Administration in the States, Constitutional Study Number 6, Ap '48 10p plus appendix.
8. Legislative Organization and Procedure, Part A: Statistical Study, Constitutional Study Number 7, My '48 25p.
9. Legislative Organization and Procedure, Part B: Bicameralism v. Unicameralism, Constitutional Study Number 8, My '48 31p.
10. Legislative Organization and Procedure, Part C: Annual Session, Committee Organization, etc., Constitutional Study Number 9, S '48 41p.
11. Legislative Apportionment in Oklahoma, Constitutional Study Number 10, Je '48 34p.
12. Amendment and Revision of the Constitution, Constitutional Study Number 11, S '48 38p.
13. County Government, An Analysis, Constitutional Study Number 12, O '48 43p.
14. County Government, Constitutional Data, Constitutional Study Number 13, S '48 42p.
15. County Government, Forms, Constitutional Study Number 14, S '48 23p.
16. Committee Report on the Improvement of the Administration of Justice, (Minor Courts, Selection of Judicial Personnel, Revised Judicial Article), Constitutional Study Number 15, O '48 17p.
17. Municipal Government in Oklahoma, Constitutional Study Number 16. (To be released soon.)
18. Administration of State Land Office and Other Problems, Constitutional Study Number 17. (To be released soon.)
19. Federal-State Relations and Oklahoma's Constitution, Constitutional Study Number 18, N '48 72p.
(All of these constitutional studies are in mimeographed form.)
2. Bill Drafting Manual for the Oklahoma Legislature, by Randell S. Cobb for the State Legislative Council, 1948 41p.
3. Strengthening the Legislative Process in Oklahoma, Report Number 4, Ag '48 13p plus appendix mim.
4. Control of State Institutions, Jl 15 '48 13p mim.
5. An Analysis of Corporation Income Tax Returns for 1946, a Sample Study of Significant Tax Ratios by Classes of Business, Report Number 3, Jl '48 14p mim.
6. Recommendations on the Reorganization of Oklahoma's Penal and Correctional System to the Joint Legislative Prison Study Committee, 1948 12p mim.
7. Telephone Service Over Rural Power Lines, Ap 30 '48 6p mim.
8. Strengthening Legislative Procedure in Oklahoma, Ja 19 '48 (preliminary report) 14p mim.
9. Farm Taxes, Ja 31 '48 3p mim.

Memorandums

1. Implementation of Proposed Uniform Salary Schedules for State Employees, Ag 14 '48 7p mim.
2. Centralized State Purchasing, Ag 9 '48 1p mim.
3. Methods of Legislative Apportionment, Jl 15 '48 6p mim.
4. Salaries of Elected State Officials, Jl 1 '48 1p mim.
5. Separate Education of the White and Negro Races in Institutions of Higher Education in Oklahoma, prepared by Fred Hanson, Office of the Attorney General, 1948 10p mim.
6. Electrical Roll Call Systems in Operation in the States, F '48 (Tabulation of Questionnaires) 2p mim.
7. Electric Voting Equipment Will Substantially Reduce the Time Required in Calling Roll, Number of Roll Calls in House of Representatives by Legislative Days, 20th and 21st Sessions, 2p mim.
8. Legislative Journal Abridgment, Example of Journal Abridgment for One Legislative Day, My 10 '48 40p mim.
9. Uniform and Model State Laws, Nine Model and Uniform State Laws Prepared for Oklahoma, Ap 12 '48 various. paged, mim.
10. Oil and Gas Data, F 12 '48 4p mim.
11. Some Pertinent Facts About Oklahoma Highway Finances, My 4 '48 11p Charts and Tables, mim.
12. Centralized State Purchasing, reproduced from: Report of Savings Effected and Record of Activities of the Testing Section, Purchase Bureau, State of New Jersey, My 17 '48 5p mim.
13. Deaths on Oklahoma Highways in 1947, by Months, S 24 '48 1p mim.

Progress Reports

- Report Number 1, December 1947, 14 pages.
 Report Number 2, March 1948, 9 pages.
 Report Number 3, October 1948, var. page.
 Report Number 4, November 1948, var. page.
 Report Number 5, December 1948, var. page.

Articles in Periodicals, etc.

- Rhodes, Jack A., "Light for State Legislatures," *National Municipal Review* New York; Vol. XXXV, pp. 393-400, S '46.
 Rhodes, Jack A., "The Legislative Council: A Program for Planning and Research" *The Southwestern Social Science Quarterly*; Vol. XXVII, pp 54-61, Je '46. Reprinted in *The Journal, Oklahoma Bar Association*; Vol. 17, pp 1205-1209, Jl 27 '46.
 "Legislative Research Councils: Purposes and Operation," *Proceedings of the Oklahoma Academy of Science*; Vol. XXVI.
 Logan, David M., "Looking Toward Greater Legislative Efficiency," by former Senator, *Harlow's Weekly*, Oklahoma City, N 21 '36.

PENNSYLVANIA

Statutory Provisions

- Act creating the joint state government commission. Pa. Laws 1937, No. 459, as amended by Laws 1939, No. 380.

Appropriations

- 1948-49 biennium: general commission fund, \$200,000; tax study, \$50,000; high school study, \$50,000.

Official Reports

- The commission does not issue biennial reports. Most of the publications listed below have been in the form of reports to the General Assembly.

Publications

1. The Debt of the Commonwealth of Pennsylvania and Its Local Subdivisions—A survey of the growth of debt in the Commonwealth from 1910 to 1943. D 13 '43, released J '44 38p printed
2. Fiscal Operations and Debt of the School District of Philadelphia—1920-1943. My 10 '44 47p printed
3. Fiscal Operations and Debt of the School District of Pittsburgh—1919-1943. My 11 '44 47p printed

4. Fiscal Operations and Debt of the School District of Scranton—1919-1943. My 12, '44 50p printed
5. Fiscal Operations and Debts of Eleven Selected School Districts—1920-1943. Je 19 '44 70p printed
6. Fiscal Operations of the School Districts of the Commonwealth of Pennsylvania—1920-1942. Je 21 '44 98p printed
7. Public Expenditures for Education in the Commonwealth of Pennsylvania—1920-1943. Je 21 '44 123p printed
8. Tax Structure and Revenues of the General Fund of the Commonwealth of Pennsylvania—1913-1943. Je 23 '44 133p printed
9. Fiscal Analysis of the Operating Funds of the Commonwealth of Pennsylvania—1923-1943. Ag 17 '44 193p printed
10. The Economic Resources and Related Tax Problems of the Commonwealth of Pennsylvania. Ja 3 '45 118p printed
11. Proposals for Revision of the Tax Structure of the Commonwealth of Pennsylvania. Ja 15 '45 (Tax Advisory Com. Report.) 262p printed
12. Summary Report of the Joint State Government Commission to the General Assembly, 1943-1945. Mr 5 '45 30p printed
13. A Report of the Committee on Municipal Authorities to the General Assembly. Ap 10 '45 56p printed
14. A Report of the Committee on Unemployment Compensation Benefits for Partial Unemployment—Unemployment Compensation—Proposals for Increased Benefits and Benefits for Partial Unemployment. Ap 10 '45 36p printed
15. A Report of the Committee on Penal Code and Juvenile Delinquency to the General Assembly. Ap 20 '45 45p printed
16. First Report of the Committee on Strip Mining to the General Assembly. Ap 20 '45 36p printed
17. A Report of the Committee on Distribution of State Funds to Political Subdivisions of the State to the General Assembly. Ap 25 '45 50p printed
18. Summary Report to the General Assembly, 1945-1947. Mr 21 '47 41p printed
19. Report of the Joint State Government Commission of the General Assembly

of Pennsylvania, Relating to Decedents' Estates Laws, 1945-1947. 114p printed. 1947-1949 study will be printed later

20. The Hatfield Case. N '48 17p printed
21. Findings and Recommendations of the Committee on Post-High School Education. N '48 32p printed
22. Alcoholism. O '48 14p printed
23. The Codification of the School Laws. Ja '49 21p printed
24. Commonwealth - Owned Tax - Exempt Real Property. Ja '49 19p printed
25. General Report of the Joint State Government Commission, 1947-1949. Ja '49 27p printed
26. Pennsylvania's Industrial Economy. Ja '49 41p printed
27. Public Libraries. Ja '49 37p printed
28. Susquehanna River Fishways. Ja '49 59p printed
29. Juvenile Delinquency and Child Welfare. F '49 41p printed
30. Highways, A Proposed Administrative and Financial Program. F '49 39p printed
31. Penal Laws. F '49 15p mim.
32. Per-Pupil Cost of Vocational and General Education Programs in the Public Schools. F '49 34p printed
33. Report of Findings and Recommendations on the Pennsylvania Tax System by the Tax Study Committee. Under Authority of Act of Assembly Approved July 9, 1947 (P. L. 1468) Part I. F '49 51p printed
34. Report of Findings and Recommendations on the Pennsylvania Tax System by the Tax Study Committee. Under Authority of Act of Assembly Approved July 9, 1947 (P. L. 1468) Part II. F '49 16p printed
35. Unemployment Compensation. F '49
36. Catalog of Historical Buildings, Sites and Remains in Pennsylvania. Mr '49 58p printed
37. School and State Employees' Retirement Systems. Mr. '49 60p printed
38. Uniform Practice and Procedure Before Administrative Agencies of the Commonwealth. Mr '49 20p printed.

UTAH

Statutory Provisions

An act creating Legislative Council, Ch. 67, Utah Laws 1947.

Appropriations

1948-1949 biennium. \$40,000.

Official Reports

Report and Recommendations of the Utah Legislative Council, D '48 43p printed.

Articles in Periodicals

The Utah Legislative Council, The Utah Foundation, Salt Lake City, Res. Rep. No. 25, Jl '47.

VIRGINIA

Statutory Provision

Act creating the Virginia advisory legislative council. Va. Acts 1936, c. 170, as amended by Acts 1942, c. 453; Va. Code Ann. (Michie, 1942) Sec. 580a-f.

Appropriations

1948-49 biennium, \$31,690.
Council members receive \$10 per day and expenses.

Official Reports

The Virginia council does not submit biennial reports. On each subject referred to it, separate report is made to the governor or to the general assembly.

These reports have been listed below under publications.

Publications

Reported to Session of 1944

Administrative Agencies, Their Creation, Jurisdiction and Powers, H. J. R. No. 31, Session of 1942. '43 14p (House Doc. No 5)
Annexation Laws, pursuant to H. J. R. No. 34, Session of 1942. '43 11p (House Doc. No 6)

Comparative Costs at State Supported Institutions of Higher Learning to Virginia and Non-Virginia Students. '43 11p. (Sen. Doc. No 6)

Proposed Elimination of the Sessions of the Supreme Court of Appeals at Staunton and Wytheville, pursuant to reference by the Governor under date of Sept. 25, '43 8p. (House Doc. No 8)

Small Loans, pursuant to S. J. R. No. 29, Session of 1942. '43 28p. (Sen. Doc. No 4)
State Aid to Counties and Cities in the Transportation of Public School Pupils, pursuant to H. J. R. No. 43, Session of 1942. '43 17p. (House Doc. No 7)

Forest and Forest Land Problems in Virginia, pursuant to S. J. R. No. 11, Session of 1942. '44 7p. (Sen. Doc. No 7)

Office of Coroner—Proposal to Abolish and to Transfer Duties to Medical Examiners and Law Enforcement Officers, pursuant to S. J. R. No. 22, Session of 1942. '44 8p. (Sen. Doc. No 9)

Taxation of Cooperatives, pursuant to direction of the Governor under date of Nov. 10, 1942. '44 7p. (Sen. Doc. No 10)

Classification for Taxation of Certain Tangible Personal Property, pursuant to reference by the Governor under date of Nov. 10, 1942. '44 6p. (House Doc. No 9)

Farm for Inebriates with the Required Medical Services, pursuant to direction of the Governor under date of Nov. 10, 1942. '44 4p. (House Doc. No 10)

Child Welfare, pursuant to direction of the Governor under date of Nov. 10, 1942. '44 28p. (House Doc. No 11)

Appointment of members of Examining Boards, Boards of State Schools of Higher Education, State Library Board, pursuant to direction of the Governor under date of November 10, 1942. '44 11p. (House Doc. No 12)

Reported to Session of 1946

Revised Uniform Sales Act, pursuant to S. J. R. No. 25, Session of 1944. '45 7p (Sen. Doc. 3)

Cancer Control and Treatment in Virginia, pursuant to S. J. R. No. 31, Session of 1944. '45 28p (Sen. Doc. 4)

Repeal of Section 51 of the Constitution, pursuant to H. J. R. No. 4, Extra Session of 1945. '45 7p (House Doc. 4)

Publication of Legal Notices, pursuant to H. J. R. No. 36, Session of 1944. '45 8p (House Doc. 5)

Printing and Reprinting of Virginia Reports, pursuant to H. J. R. No. 32, Extra Session of 1945. '45 5p (House Doc. 6)

Sanitary District Statutes, pursuant to H. J. R. No. 35, Session of 1944. '45 5p (House Doc. 7)

Building and Loan Associations, pursuant to H. J. R. No. 31, Session of 1944. '45 27p (House Doc. 8)

Boiler Explosions, pursuant to H. J. R. No. 43, Session of 1944. '45 19p (House Doc. 9)

Fiduciary Laws and Practices, pursuant to H. J. R. No. 30, Session of 1944. '45 27p (House Doc. 11)

Pollution Control and Abatement and the Ohio River Sanitation Compact, pursuant to H. J. R. No. 23, Session of 1944. '45 21p (House Doc. 15)

Compensation of Members of the General Assembly, pursuant to H. J. R. No. 5, Extra Session, 1944. '45 15p (House Doc. 16)

State and Local Taxation, pursuant to H. J. R. No. 16, Session of 1944. '45 46p (House Doc. 17)

Annuity Tables, pursuant to H. J. R. No. 26, Session of 1944. '46 18p (House Doc. No 18)

Recodification of the Code of Virginia, pursuant to H. J. R. No. 28, Session of 1944. '46 11p (House Doc. 19)

Dog, Hunting, Fishing and Trapping Licenses, pursuant to H. J. R. No. 41, Session of 1944. '46 14p (House Doc. 20)

Tuberculosis Control and Prevention, pursuant to H. J. R. No. 37, Extra Session of 1945. '46 18p (House Doc. 22)

Reported to Extra Session of 1947

The Open Shop in Virginia and Strikes in Certain Public Utilities, pursuant to request of Governor December 16, 1946. '47 31p (House Doc. 2)

Reported to Session of 1948

Lime Grinding Plants, pursuant to S. J. R. No. 33, 1946. '46 6p (Sen. Doc. No 10)

Coordination of Legislative Interim Reports. '46 6p (Sen. Doc. No 9)

Motor Vehicles Division and State Police Departments, referred by Governor. '47 8p printed

Dog License Law, referred by Governor. '47 16p printed

Executive Liens and Garnishment Proceedings. '47 12p printed

Hospital and Medical Care Needs, pursuant to S. J. R. No. 20, 1947. '48 12p printed (Sen. Doc. No 8)

Inebriety in Virginia, pursuant to H. J. R. No. 7, 1947. '47 18p printed

Compensation and Hours of State Employees, pursuant to H. J. R. No. 61, 1946. '47 9p printed

Tourist Trade, pursuant to H. J. R. No. 47, 1946. '47 17p printed

Public Schools in Virginia, '48 25p printed (House Doc. No 17)

Motor Vehicles, Inspection, referred by Governor. '48 8p printed

Insurance, Form of Fire Insurance Contracts, pursuant to S. J. R. No. 15, 1946. '48 6p printed (Sen. Doc. No 10)

Fire Hazards, pursuant to S. J. R. No. 8, 1948. '48 17p printed (House Doc. No 11)

Accountancy and State Board of Accountancy, pursuant to S. J. R. No. 3, 1947. '48 8p printed (Sen. Doc. 12)

Appeals from Compensation Board, referred by Governor. '48 6p (Sen. Doc. No 13)

Retirement Plan for Local Officers and Employees, pursuant to S. J. R. No. 21, 1946. '48 9p printed (Sen. Doc. No 14)

Insurance Regulations by State under Public Law 15 of 79th Congress, pursuant to H. J. R. No. 63, 1946. '48 47p printed (House Doc. No 14)

Retirement of State Police, referred by Governor. '48 6p printed (House Doc No 16)

WASHINGTON

Statutory Provisions

Created by Chapter 36, Laws of 1947; upheld State ex rel. Hamblen v Yelle, 129 Wash. 64. (D '47)

Appropriations

Included in legislative expense bills—not separately itemized.

Journals—Minutes

Mimeographed after each meeting. Limited distribution.

Rules

None published.

Official Reports

First biennial, January 1949. 37p printed.

Publications

The reorganization of internal management facilities in state government, 1948. N '48 43p mim.

Report of the Special subcommittee on education. O '48 169p mim.

Report of the Subcommittee on interstate cooperation. S '48 5p mim.

Report of the subcommittee on Legislative appropriations, O '48 38p mim.

Budgeting, and expenditure of state funds; and Supplemental report. D '48 10p mim.

Report (First quarterly progress report) by Subcommittee on Liquor control and licenses. S '48 3p mim.

Report (Quarterly progress report) to the state Legislative council by the Subcommittee on metropolitan leases. S '48 4p mim.

Report of the subcommittee on public welfare. Findings. S '48 11p mim.

Report of the subcommittee on public welfare. S '48 12p mim.

Report of the subcommittee on rules, organization, and procedure of the legislature. S '48 69p mim.

Report of the subcommittee on transportation problems on Puget Sound. S '48 9p mim.

Social welfare in Washington, a report to the subcommittee on public welfare. S '48 106p mim.

Steps in state government reorganization; report of the Subcommittee on simplification, coordination, and reorganization of administrative branches of the state government. S '48 58p mim.

WISCONSIN

Statutory Provisions

The Legislative Council Act, Ch 444, Laws 1947; sec. 13:35, Wis. Stats., 1947.

Appropriations

1948-1949 biennium, \$60,000.

Rules

Rules of the Legislative Council are printed as Appendix B, p 23 in the pamphlet entitled "The Legislative Council."

Official Reports

Wisconsin Legislative Council 1948 Report, Vol I, D '48 161p plus XI.

A report on Adoption Procedures by the Legislative Council sub-committee on Review of Administrative Agencies and State Services. S '48 23p.

Publications

The Legislative Council, An Aid to Good Government. Ap '48 32p printed
"Law Enforcement in Wisconsin," 141p plus IX, with charts and maps

ELDON REVARE JAMES

AN APPRECIATION: *by* ROSCOE POUND

In the death of Dr. James we have lost an outstanding figure not only among law librarians but in law-school administration, law teaching, and public service as well. Born at Newport, Kentucky, in 1875, he was educated (B.S. 1896, LL.B. 1899) at the University of Cincinnati, where he attracted the notice of Chief Justice Taft, then Dean of the Law School. After graduation he practised law in Cincinnati and became instructor and then Professor of Law in the University. He was advised by Mr. Taft, who took much interest in him, to do graduate study at Harvard and in 1911 came to the Harvard Law School with a strong letter of introduction from the then President of the United States and was admitted to candidacy for the newly created degree of Doctor of the Science of Law. The graduate course had got off to a bad start in 1910-1911 with a single student who was not up to the work. It began its successful career with the admission of James. From then on for many years a succession of able teachers on leave from other schools, and of graduates with distinction from other schools who were in training for law teaching, came in increasing number.

After taking his Doctorate, he taught at Wisconsin and at Minnesota, and in 1914 was made Dean of the Law School of the University of Missouri. For many years the government of Siam had been turning to the

Harvard Law School for and Adviser on Foreign Affairs, a position which had been held by Professor Strobel from 1903 to 1906, by Professor Westengard from 1906 to 1914, and by W. H. Pitkin (LL.B. 1906) from 1914 to 1918. When the position became vacant in 1918, the Faculty recommended Dr. James to the Siamese government. He served from 1918 to 1924 with conspicuous success, becoming also judge of the Supreme Court of Siam (1919-1924), and representative of Siam in the Permanent Arbitral Tribunal of the Hague (1918-1935).

In 1923, he was appointed Professor of Law and Librarian at the Harvard Law School, succeeding Edward Brinley Adams (LL.B. 1897) who had followed Arnold in 1913 but died in 1922. It had seemed to me important to have a librarian of professorial rank. During Mr. Adams's regime there was a library committee passing on all purchases beyond the current reports and statutes. Not only did meetings of this committee consume too much time but the committee had no permanent policy and a strong-willed member not infrequently stood in the way of our getting books we ought to have for which we had later to pay much higher prices. Also the Director of Libraries used to come over and argue that books we needed belonged in the general University Library and not in the Law School Library. When there came to be a



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professor of law as librarian, the library committee ceased gradually to function and became obsolete. Dr. James's tact, good sense, sound judgment, wide experience of men and things, and legal scholarship inspired confidence and enabled a consistent, long range policy to develop and be maintained. He was especially useful in connection with the collection of portraits of lawyers and judges. For ten years from 1916 to 1926 I had to watch for opportunities to acquire the portraits and raise money to procure them. Dr. James soon took a special interest in this matter and relieved me of most of the task of finding when and where desirable portraits were to be had. The collection owes much to his diligence and enthusiasm.

Withal, his professorship of law was not a mere title. He regularly gave the course in Admiralty from 1929 till his retirement. Also he provided effective instruction for students in the use of the library.

Dr. James was especially active in developing the position of law librarian and bringing about appreciation of the place and function of a law school library and of its peculiar needs and methods. He was an active member of the American Association of Law Libraries and served as President in 1934-1935. Also he was the prime

mover in the reorganization of the Index to Legal Periodicals, of which he was editor from 1925 to 1942. After his retirement from his professorship he became Law Librarian of Congress, 1943-1946, and from 1946 was School Consultant for the Lawyers' Co-operative Publishing Company. He was active also in the American Bar Association, and in 1936 and 1937 was Chairman of the Special Committee on Duplication of Law Books and Publications. He was a member of the American Library Association and for many years Secretary of the Cambridge Historical Society.

For the rest, he was decorated (Grand Cross of Siam, 1921, Grand Cross of the White Elephant, 1923) by the Siamese government and also by the Japanese. In 1909-1911 he was Trustee of the Cincinnati Bureau of Municipal Research, in 1942 Special Assistant to the Attorney General of the United States, and in 1942-1943 Attorney to the Legal Division of the Transportation Corps of the War Department.

His attractive personality, willingness to take on responsibility, and zealous and intelligent performance of whatever he undertook made him a welcome and useful colleague and a real friend in many organizations. He will be greatly missed in all of them.

PROPOSED REVISION OF THE CONSTITUTION AND BY-LAWS

The Committee on the Revision of the Constitution decided to take the bull by the horns and do a complete revision, rather than a patchwork job. The constitution, as of today (see the November, 1948, issue of the *LAW LIBRARY JOURNAL* at page 367), contains too much detail, over which we have all struggled for years. The committee is submitting for approval by the membership a constitution which it thinks covers essential basic material.

Because of the character of the proposed changes, the committee feels that the revision must be voted on as a whole, rather than section by section. The vote will be under the terms of the present constitution, and each regular and life member will receive a ballot which may be mailed to the Secretary or cast personally at the Detroit meeting.

The text of the proposed revision follows.

CONSTITUTION of the

AMERICAN ASSOCIATION OF LAW LIBRARIES

Article I. Name.

The name of this Association shall be American Association of Law Libraries.
[Identical with present Section 1]

Article II. Object.

The Association is established for educational and scientific purposes. It shall be conducted as a non-profit corporation to promote librarianship, to develop and increase the usefulness of law libraries, to cultivate the science of law librarianship and to foster a spirit of cooperation among the members of the profession.

[Identical with present Section 2]

Article III. Membership.

Any person or institution interested in law libraries may become a member of the

Association by complying with the provisions of the by-laws.

[Present Sections 3, 4(a), 4(b), 5, 6(a) and 6(b), replaced by this article, will be Article I, Section 1 of the new by-laws]

Article IV. Meetings.

Meetings shall be held as provided in the by-laws.

[Present Sections 14 and 15, replaced by this article, will be Article II, Sections 1 and 2 of the new by-laws]

Article V. Officers and Committees.

Section 1. Officers. The officers shall consist of a president, a president-elect, a secretary and a treasurer, all of whom shall be elected annually by the Association. The president and president-elect shall serve without compensation, and the secretary and treasurer shall receive such compensation as the executive board shall provide.

Section 2. Duties of officers. The president, president-elect, secretary and treasurer shall perform the duties usually pertaining to their respective offices and such other duties as may be assigned by the executive board.

Section 3. Committees. There shall be such committees as the executive board shall from time to time create.

Section 4. Appointments. The president shall appoint all committee members unless the Association shall otherwise direct.

Section 5. Terms of office. All officers and members of committees shall serve until their successors are elected or appointed, and qualified.

[Section 1 is derived from present Section 8, and Sections 2-5 are derived from present Sections 8 and 9.]

Article VI. Executive Board.

Section 1. There shall be an executive board of eight, consisting of the officers named in Article V, Section 1, the last retiring president, and three members whose term shall be three years, one of whom shall be elected annually by the Association. The duties of the executive board shall be those usually assigned to such boards in similar associations.

Section 2. The executive board shall have the power to fill any vacancy in elective offices except that of president, the person

so elected by the executive board to serve the unexpired term. In the case of the death or resignation of the president of the Association the president-elect shall become president and shall serve until the end of his own elected term.

[Derived from present Sections 8 and 9]

Article VII. Chapters.

Chapters of the Association may be created and governed under such conditions and subject to such regulations as may be provided in the by-laws. Any local or regional law library association, which does not desire to become a chapter of the American Association of Law Libraries, may nevertheless, become affiliated with the Association under such conditions as may be provided in the by-laws, or, in the absence of such conditions, subject to such regulations as the executive board may establish.

[Identical with present Section 13]

Article VIII. Amendments.

Amendments to this constitution may be proposed by the executive board or by a petition signed by 10 per cent of the active members of the Association. Proposed amendments shall become effective when approved by two-thirds of the members voting in a ballot to be conducted by mail, in the manner provided in the by-laws.

[Replaces present Section 17; the details with respect to the manner of conducting the ballot will be found in Article IV of the by-laws]

Article IX. By-laws.

Any by-law may be adopted, repealed, amended or suspended by a two-thirds vote of those present and voting at any meeting of the Association.

[Present Section 16, with a change from a requirement of three-fourths to one of two-thirds]

Note: Present Section 7 is placed in the by-laws, as the first sentence of Article I, Section 2. Present Sections 11 and 12 have been placed in the by-laws as Article III. Present Section 18 has been eliminated, as being fully executed.

The committee has also prepared a new set of by-laws, which incorporates the material deleted from the constitution, as well as changes proposed by the executive committee at its Janu-

ary, 1948, meeting. Should the revision of the constitution be adopted, it will be necessary to act upon the new by-laws at the Detroit meeting. If the revision of the constitution is rejected, the committee will present at the Detroit meeting amendments to the by-laws which will carry out insofar as possible the decisions of the executive board, made at its January meeting. Under the present constitution, as well as under the proposed revision, by-laws are dealt with only at the annual meeting, and are voted on only by those present.

The text of the by-laws which will be presented at the meeting, should the revision of the constitution be adopted, follows.

BY-LAWS of the

AMERICAN ASSOCIATION OF LAW LIBRARIES

Article I. Membership.

Section 1. Classification of membership. Memberships of the Association shall consist of:

- a. Active members. Any person officially connected with a law library, state library, or with a general library having a separately maintained law section, may become an active member upon payment of annual dues.
- b. Institutional members. Any law library may become an institutional member upon payment of annual dues. The executive board is empowered to determine whether the institution applying for membership is a law library.
- c. Associate members. Persons not connected with law libraries may be elected to associate membership by the executive board, and shall pay annual dues.
- d. Sustaining members. Any person interested in law libraries may be elected to sustaining membership by the executive board, and shall pay annual dues.
- e. Honorary members. The Association may, at any regular meeting, by vote of two-thirds of those present, elect non-members as honorary members.

- f. Life members. The Association may at any regular meeting, by a vote of two-thirds of those present, elect to life membership those who have been members of the Association, but who have retired from active library work.

[This is the material with respect to classes of membership which is presently in the constitution, Sections 3, 4 (a), 4 (b), 5, 6 (a) and 6 (b)]

Section 2. Dues, rights and privileges. The right of holding office shall be restricted to active members and the right of voting shall be restricted to active and life members.

[Identical with present Section 7 of the constitution]

The dues to be paid shall be as follows:

- a. Active members. The annual dues of active members shall be \$7.00.
- b. Institutional members. The annual dues of institutional members shall be based upon the number of full time persons doing work of a professional character employed by such institutional members, according to the following scale:
 - (1) Libraries having not more than two full time persons in their employ doing work of a professional character shall pay \$14.00.
 - (2) Libraries having more than two full time persons in their employ doing work of a professional character shall pay annual dues at the rate of \$7.00 for each such person on their staffs, provided, however, that no library shall be required to pay dues in excess of \$70.00 per year in order to enjoy the full privileges of an institutional member.

Such persons on the staff of an institutional member as are designated by the librarian and for whom the institutional member has paid \$7.00 each as its annual dues shall be entitled to active membership in the Association without the payment of individual dues.

[This is essentially the same as present Sections 1 and 2 of the by-laws. An attempt has been made to clarify those who are to be counted in computing the dues of institutional members. The executive committee has proposed the increase in dues]

- c. Associate members. The annual dues of associate members shall be \$15.00.

- d. Sustaining members. The annual dues of sustaining members shall be \$50.00.
- e. Honorary members. No dues.
- f. Life members. No dues.

Section 3. The year for dues shall begin on June 1st, and the fiscal year of the Association shall begin on June 1st. The dues of members joining between January 1 and May 31 shall be one-half of the annual dues for that fiscal year.

[From present Section 1 (a) of the by-laws]

Section 4. Members failing to pay dues after the expiration of one year and after due notice by the treasurer shall be dropped from the membership.

[Present Section 2 of the by-laws, with a slight change]

Article II. Meetings.

Section 1. An annual meeting of the Association shall be held at such time and place as the executive board shall designate.

Section 2. Special meetings may be held at such times and places as the executive board may elect or the Association direct.

[This article is present Sections 14 and 15 of the constitution]

Article III. Nominations and Elections.

Section 1. Not later than October 1, of each year, the president shall appoint a nominating committee of five members, no one of whom shall be a member of the executive board, to nominate candidates for the elective positions of president, president-elect, secretary, and treasurer, and membership on the executive board. Two candidates for membership on the executive board shall be presented.

Names of candidates, together with their written acceptances, shall be presented by the nominating committee to the president in sufficient time to enable the president to inform the members of the nominations prior to April 1, either by publication in the *LAW LIBRARY JOURNAL*, or by mail. Further nominations, except for the office of president, may be made upon written petition of two voting members in good standing. Such petitions, accompanied by written acceptances of the nominees, must be filed with the secretary of the Association not later than May 1. The secretary shall prepare an official ballot, including nomina-

tions by petition. The professional position of each nominee shall appear on this ballot.

Section 2. Elections. The president shall appoint a committee on elections which shall have charge of the conduct of the annual election and the counting and tabulation of all votes cast.

Prior to May 15, the secretary shall mail a copy of the ballot to each member of the Association. Ballots shall be marked, sealed in plain envelopes, and returned to the secretary before June 10, in covering envelopes bearing on the outside the name and address of the member voting, together with the words "Official ballot." The secretary shall check on a list of members the names of all members whose votes are received.

The candidates receiving the largest number of votes shall be declared elected and shall be so reported at a business session of the annual meeting by the committee on elections. In case of a tie vote, the successful candidate shall be determined by lot conducted by the committee on elections. In case the annual meeting is held before June 10, or if no annual meeting shall be held, the report of the committee on elections shall be printed in the first issue of the *LAW LIBRARY JOURNAL*, or, in case the *LAW LIBRARY JOURNAL* has ceased to be published, shall be mailed to the members by the secretary before July 1.

[This article is present Section 11 and 12 of the constitution, with slight changes]

Article IV. Ballot upon amendments to the constitution.

Proposed amendments to the constitution shall be submitted to the secretary, who shall send notice of the proposed amendments to the members 30 days prior to the meeting of the Association at which they will be presented for discussion.

Ballots shall be mailed by the secretary to the members immediately following the publication of the issue of the *LAW LIBRARY JOURNAL* which contains the discussion of the proposed amendments (or, at the discretion of the executive board, at any time following the meeting at which the amendments were discussed, provided that the ballots are accompanied by a summary of the discussion). The executive board shall specify the time for closing the balloting, but in no case shall it be less than 30 days after the mailing of the ballots.

[New method of voting on amendments]

Chapter V. Chapters.

Any group consisting of ten or more active members of the Association residing within the territory in which such chapter is desired, may apply for permission to establish a chapter of the Association by forwarding a petition in writing to the secretary at least 60 days before any regular meeting of the Association. The executive board may, after having made a proper investigation, recommend to the members of the Association that such group be designated a chapter, or if the group represents a local or regional organization already in existence, such organization shall be designated a chapter, provided, however, that no chapter shall be established except as hereinafter set forth:

- (a) The formal name of every such local or regional organization must clearly indicate that it is a chapter of the Association.
- (b) No chapter shall adopt a constitution or by-laws inconsistent with the constitution and by-laws of the Association or engage in any activity in conflict with the program of the Association.
- (c) Of the dues collected from active members of the Association who are also members of a chapter, the chapter shall receive \$1.00 and the Association shall receive \$6.00.
- (d) Chapters may accept as local or regional members persons engaged or interested in law library work, who wish to take part in local or regional activities only, and may collect separate dues from such persons, but such local and regional members shall at no time exceed fifty per cent of the membership of such chapter. Such local and regional members shall not hold the office of president of the chapter, and shall not have any of the privileges of members of the Association.
- (e) The executive board may discontinue or suspend any chapter which, in the opinion of the executive board, has ceased to be active.

[Present Section 3 of the by-laws, but subsection c is radically changed, and subsection e has been added.]

FORREST DRUMMOND
FRANCIS X. DWYER
LEWIS MORSE
CARROLL C. MORELAND

BOOK REVIEWS

Handbook of Massachusetts Evidence,
By W. Barton Leach, Little, Brown
& Company, Boston, Massachusetts,
1948, Second Edition. P.; XVI,
109. \$3.00.

This is a remarkably successful effort to provide a brief statement of the Massachusetts and federal law of Evidence for quick reference at trials, for Massachusetts bar examinations preparation, and for use as a text by law students in that state. There are no footnotes. The cases are printed in italics in the text. Only leading cases are cited. It appears that completeness is achieved by making statements as Massachusetts law although there is no Massachusetts case on the point, in a few instances. To keep within the purposes of the book there are very few references other than to Massachusetts and federal cases and statutes. There being no footnotes, cross references are to topic, section, etc., e. g. at p. 32, "(see III, D. 21. *supra*)."

Since these figures are not printed at the tops of the pages, it might seem that it would be difficult to find the reference. This is not the case because of the detailed table of contents and the conciseness of the book. There is a table of cases, a table of statutes and rules, and an index. A brief preface states the aims and scope of the book. An introduction provides a philosophy of the law of Evidence and of judicial attitudes toward it, as well as a resume of recent trends in Massachusetts and the fed-

eral courts as shown by statutes and decisions.

Is the book worth while for lawyers, students and teachers outside of Massachusetts? Yes. It provides an outline of the subject very useful for orientation. The user will have to be careful, for the law of Massachusetts is in some respects peculiar, as the law of one's own state will also be in some respects. The author frequently notes Massachusetts' divergencies, but could not note those elsewhere that are not related to Massachusetts law. The book also serves as an example for analysis, organization and terseness. It is not so severely terse as to become cryptic, although at page 40 the limitation to reputation evidence for proof of character is left to inference. At the bottom of page 100 one is comforted by the impression that A's and B's can become confused for others. As to coverage, the author does not state the law of presumptions and burden of proof, though a reviewer of the first edition thought that he should. See P. Dennison Smith Jr., 20 Boston Univ. L. Rev. 803 (1940).

What does the author provide of criticism of the law of Evidence? More than he promises, though subtly and mostly by way of letting the law speak for itself. See, for example, p. 43 on the form of the question in opinion evidence and p. 95 on judicial notice. The book does not purport to be a treatise. Notwithstanding the progress noted in the introduction, one still

feels that much of the law of Evidence is such that it is easier to understand it than to believe that it is the law. Some of the statutes quoted make one thankful that so little of it must be found in such statutes rather than in decisions expounded by Professor Leach.

A. L. GAUSEWITZ, *Dean*
College of Law
University of New Mexico

Thomas S. Dabagh, Librarian of the Los Angeles County Law Library, has resigned, effective July 1, 1949, to accept another position.

The Board of Trustees invites communications in regard to a successor. Such letters should be addressed to the Honorable Hartley Shaw, President, 1605 City Hall, Los Angeles 12, California.

Compensation will be determined by agreement between the Board and the candidate selected.

DON'T FORGET!

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CURRENT COMMENTS

Chicago Law Institute Installs Electronic Recording Equipment.

FRANK DI CANIO, Executive Librarian of the Chicago Law Institute, announced in the February 1, 1949, issue of the *Chicago Law Institute Bulletin* the installation of two electronic recording machines for the convenience of members who wish to dictate in connection with their use of books in the library. A Sound Scriber was presented by Bernard Vinissky and an Audograph Recorder was loaned to the Institute. Recently an Ediphone Soundwriter and an Ediphone cylinder recorder were loaned by the Ace-High Secretarial School, thus making four recording machines available to members without charge.

For attorneys who do not have transcribing machines in their offices arrangements have been made with a stenographic service to transcribe the disks and cylinders for a nominal sum.

This new service has been enthusiastically received by members of the Chicago Law Institute who use the recording machines daily.

Activities of the Law Librarians' Society of Washington, D. C.

THE LAW LIBRARIANS' SOCIETY OF WASHINGTON, D. C., Washington Chapter of the A.A.L.L., has just finished a seven-week "pilot course" for the legal research clinic which members hope to offer Washington attorneys next fall.

The course, restricted to members of the chapter and their staffs, was

held in the Law Library of Congress one evening a week from April 4 to May 16, inclusive. Its object was threefold: to test certain theories as to what should be the content and method of the clinic, to try to discover how large a topic can be adequately covered in an evening, and to prepare members for service as "laboratory assistants," who will work with small groups of the lawyers attending the clinic, demonstrating the use of books in solving actual problems.

The project is under the direction of the Chapter's Committee on Law Library Science, of which Miss Lillian McLaurin is Chairman. Members who conducted the course for one evening each, with their respective topics, were as follows: Mrs. Rebecca L. Notz, American statutory materials; Matthew McKavitt and Miss Elizabeth Finley, American court decisions; Mrs. Huberta A. Prince, secondary aids; Mr. Francis X. Dwyer, British materials; Mrs. Ella C. Thomas, Federal trade and utility regulation; Miss Anne Jensen, transportation and commerce; and Mr. Philip Hazelton, labor and taxation.

Roalfe Urges Legal Bibliography as Required Course.

WILLIAM R. ROALFE, Law Librarian of Northwestern University, has written an informative and challenging article entitled, "Some Observations On Teaching Legal Bibliography And The Use Of Law Books." It appears in the current number of the *Journal of Legal Education* (Vol-

ume 1, No. 3, Spring, 1949). In concluding his article, he urges that "Instruction in legal bibliography and the use of law books should be required of all students and it should be given for credit."

The *Journal of Legal Education* is published for the Association of American Law Schools by the West Publishing Company. The *American Law School Review* was discontinued with Volume 10, No. 4.

Information on Bar Association Reports.

THE COLORADO BAR ASSOCIATION has published no reports since 1940, according to information obtained from Mr. William B. Miller, Secretary of the Association.

THE DELAWARE BAR ASSOCIATION published a year book in 1941-1942, but none have been published since that time.

THE WYOMING BAR ASSOCIATION PROCEEDINGS are no longer published separately. They will be found in the *Wyoming Law Journal*, which is published at Laramie under the joint auspices of the Wyoming State Bar and the Law School of the University of Wyoming. The 1948 Proceedings appear in Volume 3, No. 1 (Fall, 1948, issue).

Veteran Printer of Supreme Court Opinions Dies.

CLARENCE E. BRIGHT, printer of the opinions of the Supreme Court of the United States until his retirement in 1946, died in his home in Washington, D. C., on February 19, 1949, at the age of seventy-three. Said to be the only layman ever formally commend-

ed by the Court, he was signally honored when Chief Justice Vinson, at a session of the Court on December 23, 1946, paid him this tribute:

"For seventy-five years the opinions of this Court have been printed by Pearson's Printing Office. Mr. Clarence E. Bright entered that establishment in his youth nearly fifty-six years ago. Later he acquired ownership of the business which he continuously has managed for over forty years in a manner of helpfulness far beyond contractual obligation.

"For more than a half-century Mr. Bright has served the Court with complete fidelity, bringing to his important and confidential work the advantages of unique skill and ability. . . . His name belongs in the roll of those who have given themselves through long years to the service of the Court with absolute devotion to its interests.

"The Court desires to record its appreciation of Mr. Bright's efficiency and loyalty and to acknowledge the effective contribution of his aid in its work. . . ." 329 U. S. ix, x.

Supreme Court Librarian Retires.

Bruno G. Arkebauer of Springfield, well-known to lawyers throughout the state of Illinois by virtue of his long service as Supreme court librarian, retired from that position on December 31. As a life member of the American association of Law Librarians, Mr. Arkebauer enjoys a national reputation among lawyers and law librarians.

Succeeding him as Supreme court librarian is Miss Jessie Taylor Smith of Springfield, who has been assistant librarian for 18 years. She will be the first woman ever to serve in this important position. Also a member of the Illinois bar, she was admitted to practice in January, 1947. Newly appointed as assistant librarian is Miss Josephine Cornelia Rowe of Brookport, formerly employed in the office of the Attorney General during the administration of George F. Barrett.

Appointed Director of Libraries.

DR. FRITZ VEIT has been appointed Director of Libraries of Chicago Teachers College and Wilson Junior College. Previous to this appointment he was Law Librarian of the United States Railroad Retirement Board, Chicago, Illinois.

The Law Librarians of New England

The New England Chapter held a spring dinner meeting Wednesday evening, April 6th, at the Hotel Touraine in Boston, as guests of Mr. Howard Manningham of the Boston Law Book Co.

Among the twenty-four law librarians were a representative from Connecticut, Miss Dorothy Bidwell of the University of Connecticut, a representative from Maine, Miss Edith Hary of the Maine State Library and two from New Hampshire, Mrs. Mildred Peterson McKay and Miss Frances Bibik of the State Library. It was gratifying to have these people come from afar to attend the meeting. We were also very happy to have Mrs. Manningham with us.

The business meeting was presided over by Mr. Dennis Dooley of the Mass. State Library. He first commented on the loss of two of our members since we had last met, Mr. Frederick Schenk and Mr. Eldon James. He spoke of the survey of the legal profession and passed around copies of a talk about the survey by Mr. Frank E. Holman, which had been broadcast over CBS. The committee which had been appointed to draw up a Constitution and slate of offi-

cers, Miss Ethel M. Turner, Chairman, presented the Constitution, which was read by the secretary pro tem section by section and adopted unanimously. The slate of officers was also presented and adopted. The new officers are as follows:

President: Mr. Dennis A. Dooley

Vice-President: Miss Eunice W. Beeson

Secretary-Treasurer: Mrs. Pearl J. Larson

Directors: Mr. Philip A. Putnam, Mrs. Grace L. M. Gainley

A Fall meeting was discussed, and it was suggested that at that time we talk about various classification schemes, particularly the Library of Congress K prepared by Elizabeth V. Benyon.

The speaker of the evening was Mr. William A. Parks, Executive Secretary of the Boston Bar Association and Editor of *The Bar Bulletin*. His subject was: "What the Lawyer Expects from the Law Library." He spoke in a very interesting and entertaining way and made many pertinent points relative to the lawyer and his needs.

It was a most successful and enjoyable meeting and heralds a long and happy existence for the now full-fledged Law Librarians of New England.

Columbia University School of Library Service, Summer Session, 1949.

Library Service s220A—Legal Literature and law library administration. 3 points. Tuition fee: \$60.00. Mr. Price.

Monday to Friday, 8:30 a. m., July 5 to August 12, 1949.

A comprehensive view of the administration of law libraries with special reference to the various problems which differentiate them from other kinds of libraries. The common law and statute law as sources of legal material are briefly considered, as well as the methods employed by law students and lawyers in legal research. Emphasis is laid upon the examination of work with the different types of material used in law libraries, such as court reports, statute law, text-

books, encyclopedias, periodicals, government documents (particularly legislative documents and the reports of administrative tribunals), briefs on appeal, etc., and the aids to their use. Methods of acquisition, book selection, publishers, book dealers, and sources of free material are studied. Such aspects of cataloguing, classification, shelf arrangement, circulation, and reference work as are peculiar to a law library are taken up.

OFFICE OF CHIEF OF U. S. COUNSEL FOR WAR CRIMES DOCUMENT DIVISION

Brief Survey Concerning the Records of the War Crime Trials Held in Nurnberg, Germany

This survey is intended to be helpful to persons and agencies which have a special interest in the records of the trials at Nurnberg.

Altogether thirteen war crimes trials have been held in Nurnberg, Germany. The record in each of the thirteen cases consists principally of a transcript of proceedings in open court (both in English and German) and hundreds of documents in the language of the original which were turned over to the Secretary General of the Tribunal by the prosecution or defense as the documents were offered in evidence. For the convenience of the members of the Tribunal, counsel, and the defendants, copies of the documents were assembled in document books in both the English and German languages. Both the transcript and the document books were mimeographed in Nurnberg and distributed in loosely bound volumes for

the use of the members of the Tribunal, counsel, the defendants, the press, the foreign delegations at Nurnberg, the Library of Congress and a very limited number of other government agencies. Unfortunately, it was not possible to make sufficient copies for all deserving agencies or institutions.

Records of the IMT Case

The first war crimes trial in Nurnberg was held before the International Military Tribunal (IMT). It is ordinarily referred to as the "IMT" case. Upon the direction of IMT, the Secretariat of the Tribunal is still engaged in the publication of approximately 30 volumes which will reproduce the principal parts of the record in that case. The United States Government printing office has also printed a series of ten volumes on the IMT case entitled "Nazi Conspiracy and Aggression" in the English language. These

volumes include the basic documents of the IMT case and many of the briefs and arguments. Copies are available in most of the larger libraries in the U. S.

Copies of the English translations of most of the documents collected by the Allies and used in the IMT case will be distributed by this office to a limited number of agencies. Agencies receiving these documents will find that they are grouped according to letter-number symbols in 13 different series. These documents were registered by a central document division in Nurnberg and given a letter designation (for example, "PS" or "EC") which indicated generally the Allied source which had collected the document. Documents registered in each letter series were in turn identified by consecutive document numbers. In general usage, the letter-number symbol is referred to as the document number. The following letter symbols were used to designate the 13 series of documents collected in the preparation of the IMT case.

Symbol	Significance of symbol	No. of document in series.
C	Documents collected by the British Admiralty.	196
D	Documents of the British prosecution.	976
M	Documents of the British prosecution.	229
EC	Economics documents from several sources.	620
ECH	Economics documents from the Heidelberg Document Center	33
ECR	Economics documents from the Rosenheim Document Center.	197
GB	Miscellaneous documents introduced by the British prosecution.	2
L	Documents collected in London.	361
PS	"Paris-Storey." This is the principal series of documents collected by the United States prosecution. This series was started in Paris	

	under the direction of Colonel Storey, first Chief of the Document Division, and later greatly extended in Nurnberg.	4080
R	Documents collected by O. S. S., London Office	178
RF	Documents introduced by the French prosecution	1545
USSR	Documents introduced by the Soviet prosecution	616
TC	Documents dealing with international agreements (Hague convention, Kellogg-Briand Pact, Versailles Treaty, etc.)	93

The Twelve Trials Subsequent to The IMT Case

After the conclusion of the trial before the International Military Tribunal, twelve additional war crimes trials, commonly referred to as the "subsequent proceedings," were conducted in Nurnberg. These trials were held upon indictments filed by Brigadier General Telford Taylor, United States Chief of Counsel for War Crimes, acting on behalf of the United States of America. These twelve cases are listed below in a table which also shows the popular name, the formal designation and the number of mimeographed pages of the English transcript for each case.

Case No.	Popular Name (United States versus)	Formal Designation	Transcript Pages
I	MEDICAL		
	Karl Brandt et al		11,538
II	MILCH		
	Erhard Milch		2,528
III	JUSTICE		
	Josef Altstotter et al		10,936
IV	POHL		
	Oswald Pohl et al		8,201
V	FLICK		
	Friedrich Flick et al		11,026
VI	FARBEN		
	Carl Krauch et al		15,834
VII	HOSTAGE		
	Wilhelm List et al		10,544
VIII	RUSHA		
	Ulrich Greifelt et al		5,408

IX EINSATZGRUPPEN	
Otto Ohlendorf et al	6,895
X KRUPP	
Alfried Krupp et al	13,454
XI MINISTRIES	
Ernest von Weizsaecker et al	28,085†
† Case incomplete. This number does not include the judgment which will be rendered by the Tribunal in the near future.	
XII HIGH COMMAND	
Wilhelm von Leeb et al	10,316
Total	134,765

The document books used in these 12 trials number more than 185,000 mimeographed *l e g a l i z e d* pages. Three sets of these document books, both in English and German, have been sent to the Library of Congress, Washington, D. C. Apart from these sets and the sets used by Judges and counsel at Nurnberg, only a few broken sets of document books are available for distribution. However, this office is distributing a number of full sets and some broken sets of the mimeographed copies of the original German documents, English translations of some of these documents, and a Staff Evidence Analysis (SEA) used in the preparation of the Nurnberg Trials. (These sets include all the documents used in the preparation of the prosecution document books in each of the cases). A Staff Evidence Analysis is a summary analysis in English of the contents of an original document. Its purpose was to assist trial lawyers in determining whether or not the document should be translated and used in a trial. If in checking these, an agency or institution determines that it requires a copy of an original document, a request should be made upon the Historical Records Section, Departmental Records Branch, The Adjutant General's

Office, Pentagon Building, Washington 25, D. C. These documents include the contemporaneous German documents collected by Allied Agencies and used in the preparation or actual trial of the 12 war crimes trials in Nurnberg subsequent to the IMT case.

The documents registered in Nurnberg for use in trials subsequent to the IMT case were given a letter symbol which began with the letter "N," standing for "Nurnberg." These include four series of documents:

NG	"Nurnberg Government," documents principally dealing with government agencies of the Third Reich	5,889
NI	"Nurnberg Industrialist," documents principally dealing with industry and finance. Some of the "NI" documents have been designated as "NID" (specifically concerning the Dresdener Bank) or "NIK" (specifically involving the Krupp concern). The addition of the letters D or K, however, do not establish a separate series of documents.	15,679
NO	"Nurnberg Organizations," documents principally dealing with the various organizations of the Nazi party, such as the SSS	6,039
NOKW	"Nurnberg Oberkommando der Wehrmacht," documents dealing principally with the High command of the German Army	3,617

Most of the documents used in the so-called industrialist trial (Flick case, Farben case and Krupp case) can be found in the NI series of documents. Most of the documents used in the Medical, Pohl and the Rusha cases can be found in the NO series of documents. Most of the documents used in the two military trials (the Hostage case and the High Command case)

can be found in the NOKW series of documents. Of course some documents from other series were also used in these cases. In the largest case tried in Nurnberg (the so-called Ministries case), hundreds of documents were used from each of the four principal series of documents. The translation of these contemporaneous German documents offer interest to historians and scholars quite apart from the fact that they were used in the preparation or actual trial of war criminals at Nurnberg. The Staff Evidence Analysis (SEA) should be of considerable assistance in helping interested persons locate these documents concerning Hitler's Third Reich in which they have a special interest.

Storage and Filing of Documents in the U. S.

The certified copies of the original documents which were introduced in evidence in each of the 12 cases will be shipped with the court archives to Washington for permanent storage by the National Archives. These will include the documents offered by both the prosecution and the defense. The original copies of the documents collected by various Allied agencies and

registered by the Central documentation division of this organization in Nurnberg will be shipped to the Historical Records Section, Departmental Records Branch, the Adjutant General's Office, Pentagon Building, Washington, 25, D. C. Further inquiries concerning these documents after February 1949 should be directed to that office. Persons desiring access to the transcripts or the document books used in any of the trials may visit the Library of Congress, Washington, D. C.

Future Publications

The Department of the Army is sponsoring the publication of 15 printed volumes which will contain selections from the record in each of the twelve trials held in Nurnberg since the IMT trial. These volumes will not be available for a number of months. Requests for their purchase should be made to the Government Printing Office, Washington, D. C.

FOR THE CHIEF OF COUNSEL
FOR WAR CRIMES:

FRED NIEBERGALL
Director
Document Division

EXCHANGES

The University of Minnesota Law Library has acquired the stock of back numbers of *The Brief*, published by Phi Delta Phi, beginning with vol. 2, no. 4 and running through vol. 42, no. 3. However, not all numbers of all the volumes within this range are available.

There are also available some numbers of *Bench and Bar of Minnesota*, both the old and new publications.

Interested libraries please contact:

Law Library
University of Minnesota
Minneapolis 14, Minnesota

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CHECK LIST OF NATIONAL REPORTER SYSTEM

Revised to April 15, 1949

	Last Vol. to Appear		Last Vol. to Appear
Atlantic Reporter, Second Series	62	North Western Reporter, Second Series .	34
Advance Sheets	64	Advance Sheets	36
Federal Reporter, Second Series	170	Pacific Reporter, Second Series	199
Advance Sheets	172	Advance Sheets	203
Federal Rules Decisions	7	South Eastern Reporter, Second Series .	50
Advance Sheets	8	Advance Sheets	52
Federal Supplement	80	Southern Reporter, Second Series	37
Advance Sheets	82	Advance Sheets	39
New York Supplement Reporter, Second Series	83	South Western Reporter, Second Series .	215
Advance Sheets	87	Advance Sheets	218
North Eastern Reporter, Second Series .	82	Supreme Court Reporter	68
Advance Sheets	84	Advance Sheets	69

CHECK LIST OF CURRENT AMERICAN STATE REPORTS, STATUTES * AND SESSION LAWS

Revised to April 15, 1949†

Publication	Dates of Regular Sessions	Source	Latest Vol. to Appear
ALABAMA			
Reports		West Pub. Co.	250
App. Reports		West Pub. Co.	33
Session laws Biennial		Secretary of State	1947 Gen. & Loc.
Code, Compilation or Revision		Secretary of State	1940 Code A. 10v. with 1947 P. P.
ALASKA			
Reports		West Pub. Co.	11
Session laws Odd years		Secretary of Territory	1947
Code, Compilation or Revision		Auditor of Alaska, Juneau	Comp. L. 1933 iv.
ARIZONA			
Reports		West Pub. Co.	67
Session laws Odd years		Secretary of State	1947
Code, Compilation or Revision		Bobbs-Merrill Co.	1939 Code A. 6v. with 1947 P. P.
ARKANSAS			
Reports		Secretary of State	213
Session laws Odd years		Secretary of State	1947
Code, Compilation or Revision		Bobbs-Merrill Co.	Stats. A. 1947, 8v.
CALIFORNIA			
Reports		Bancroft-Whitney & Co.	32 (2d)
App. Reports		Bancroft-Whitney & Co.	86 (2d)
Advance Parts		Recorder Ptg. & Pub. Co.	Weekly
Session laws Annual		Secretary of State	1948
Code, Compilation or Revision		Bancroft-Whitney & Co.	1947
		Deering's Codes: Civil Code	Insurance, 1944, iv.
		1941, iv.	Labor, 1943, iv. . .
		Civil Procedure & Probate,	Military & Veterans,
		1941, iv.	1943, iv.
		Constitution, 1930; 1944 Supp.	Public Resources,
		General Laws, 1943, 3v.	1944, iv.
		Penal, 1941, iv.	Revenue & Taxation,
		Political, 1943, iv.	1944, iv.
		Probate, 1944, iv.	Streets & Highways,
		Agricultural, 1943, iv.	1944, iv.
		Business & Professions, 1943, iv.	Vehicle, 1943, iv.
		Education, 1943, iv.	Water, 1944, iv.
		Elections, 1944, iv.	Welfare & Institutions,
		Fish & Game, 1943, iv.	1944, iv.
		Harbors & Navigation, 1943, iv.	1947 P. P.
		Health & Safety, 1944, iv.	

* In response to suggestions from members of the A.A.L.L., the Editor has revised this Check List to include Statutory Compilations. Because of space limitations only one is listed for each state with the official set listed in preference to unofficial sets. The Editor will be glad to receive additional suggestions from members and subscribers concerning these statutory listings.

† With acknowledgments to the West Publishing Company.

Publication	Dates of Regular Sessions	Source	Latest Vol. to Appear
CANAL ZONE			
Reports		Executive Secretary, Panama Canal, Balboa Heights, C. Z.	3
Code, Compilation or Revision		Superintendent of Documents, Washington, D. C.	1934 Code A. iv.
		The Chief of Office, The Panama Canal, Washington	Temp. Supp. No. 6, 1946
COLORADO			
Reports		A. B. Hirshfield Press, Denver, Col.	117
Session laws	Odd years	Secretary of State	1948 Extra
Code, Compilation or Revision		Michie Co.	1935 Stat. 5v. 1941 Replacement v. 1 1947 P. P.
CONNECTICUT			
Reports		E. E. Dissell & Co., Hartford, Conn.	134
*Advance Parts		E. E. Dissell & Co., Hartford, Conn.	
Conn. Supp.		Connecticut Law Journal Pub. Co. Bridgeport, Conn.	14
Sup. Ct. Rep.		(Selected cases by Judges)	
Conn. Pleas. Rep.		Weekly continuations	
*Conn. Law Journal		State Librarian	1945, 1946 Sp. Sess.
Special Acts	Odd years	E. E. Dissell & Co., Hartford, Conn.	1949 Gen. Stat. 3v. & Index
Code, Compilation or Revision			
DELAWARE			
Reports		State Librarian	43
Chancery reports		State Librarian	26
Session laws	Odd years	State Librarian	1947
Code, Compilation or Revision		Delaware State Library, Dover, Del.	1935 Code iv.
DISTRICT OF COLUMBIA			
Appeals		West Pub. Co.	82
Acts Affecting D. C.		John Byrne & Co.	42
Code, Compilation or Revision		Government Printing Office	1940 Code A. 2v. Supp. No. 6, Pts. 1, 2
FLORIDA			
Reports		Marshal of Supreme Court, Tallahassee	159
Session laws	Odd years	Secretary of State	1947 Gen. & Spec.
Code, Compilation or Revision		Secretary of State	1941 Stat. 2v. 1947 Supp. 1948 P. P.
Florida Statutes Annotated		West Pub. Co.	
GEORGIA			
Reports		The Harrison Co.	203
App. Reports		The Harrison Co.	76
Session laws	Odd years	State Librarian	1947
Code, Compilation or Revision		The Harrison Co.	1933 Code iv.
HAWAII			
Reports		Clerk of Supreme Court	37
*Advance Parts		Clerk of Supreme Court	
Session laws	Odd years	Secretary of Territory	1947
Code, Compilation or Revision		Secretary of Territory	1945

* Advance parts paged to correspond with permanent edition.

Publication	Dates of Regular Sessions	Source	Latest Vol. to Appear
IDAHO			
Reports		West Pub. Co.	67
Session laws	Odd years	York Ptg. Co., Boise	1946 2 Ex., 1947 Reg.
Code, Compilation or Revision		Bobbs-Merrill Co., Indianapolis, Ind.	1932, 4v.
ILLINOIS			
Reports		Edwin H. Cooke, Bloomington	400
*Advance Parts		Edwin H. Cooke, Bloomington	
App. Reports		Callaghan & Co.	335
*Advance Parts		Callaghan & Co.	
Court of Claims Reports		State Printer	14
Session laws	Odd years	Secretary of State	1947
Code, Compilation or Revision		The Burdette Smith Co.	1947 Stat. 1 v. State Bar Ed.
Smith-Hurd Illinois Statutes Annotated		West Pub. Co.—Burdette Smith Co.	1948 P. P.
INDIANA			
Reports		Supreme Court Reporter	224
App. Reports		Supreme Court Reporter	116
Session laws	Odd years	Secretary of State	1947 2 vols.
Code, Compilation or Revision		Bobbs-Merrill Co.	1933 Burns' Stat. A. 14v. Replacements v. 2, 4, 6, 8, 11; 1947 P. P.
IOWA			
Reports		Superintendent of Printing	238
Session laws	Odd years	Superintendent of Printing	1947 Reg.; 1947 Ex.
Code, Compilation or Revision		Superintendent of Printing	1946 Code 3v. In Publication
Iowa Code Annotated		West Pub. Co.	
KANSAS			
Reports		State Librarian	164
*Advance Parts		State Librarian	
Session laws	Odd years	Secretary of State	1947
Code, Compilation or Revision		Secretary of State	1935 Gen. Stat. A. 1 v., 1947 Supp. 1 v.
KENTUCKY			
Reports		State Librarian	305
*Advance Parts		State Librarian	
Session laws	Even years	State Librarian	1948
Code, Compilation or Revision		Statute Revision Commission	1948 Rev. Stat. & Anno., 2v.
LOUISIANA			
Reports		West Pub. Co.	213
Session laws	Even years	Secretary of State	1945 Ex., 1946, Reg. 1947 Ex.
Code, Compilation or Revision		Bobbs-Merrill Co.	Const., Codes, etc., 1925-45, 12v., with 1947 P. P.
MAINE			
Reports		Southworth Anthoenson Press, Portland	141
Session laws	Odd years	Book Dealers in Portland and Bangor	1946 Sp., 1947 1 v.
Code, Compilation or Revision		Department of State	1944 2v

* Advance parts paged to correspond with permanent edition.

Publication	Dates of Regular Sessions	Source	Latest Vol. to Appear
MARYLAND			
Reports		George W. King Printing Co.....	187
*Advance Parts		George W. King Printing Co.....	
Baltimore City Rep.		Daily Record Pub. Co., Baltimore..	v. 4 (1919-1928)
Session laws	Odd years	State Librarian	1947 Reg. & Ex.
Code, Compilation or Revision		Dept. of Leg. Ref., Baltimore	1939 Code A. 2v 1947 Supp.
MASSACHUSETTS			
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